State Library

THE CONFEDERATE.

A. M. GORMAN & CO., Proprietors.

TERMS:

DAILY EDITION, for 6 months.....$25
" " 3 " 15
" " 1 " 5
TRI-WEEKLY, for 6 months. 15
" " 3 " 10
WEEKLY EDITION, for 6 months..... 10

No subscriptions will be received on any other terms than the above, nor for a longer or shorter period.

WEEKLY CONFEDERATE.

VOL. 1. RALEIGH, WEDNESDAY, JANUARY 18, 1865. NO. 40.

THE CONFEDERATE.

ADVERTISING.

ADVERTISEMENTS will be inserted at THREE DOLLARS per square of ten lines (or less) for each insertion. Marriage notices and obituaries will be charged as advertisements.

JOB WORK.

JOB WORK of every description will be executed at this Office with dispatch, and as neatly as can be done anywhere in the Southern Confederacy.

However strong a man may be, however well knit his frame, how muscular soever he may be, or of however iron nerve, he cannot fight to advantage if his hands and feet are tied. Nor can a nation maintain war successfully, if her resources are not allowed development. Whatever hinders the full employment of her powers, retards and may prevent her success. Had our first act of conscription never been passed, we should have been at the mercy of the foe long ago. Had property never been impressed for public service, the war would long since have ended in our overthrow. Had supplies never been drawn for the army by the tithing system, the military element would have disbanded. Yet all these measures were opposed, violently opposed, and are still condemned, pertinaciously and bitterly. They were all rightful measures; all within the province of the government, and have all been pronounced by the judiciary of the land to have been constitutional measures. They have not been resisted by any portion of the people, but they have been evaded—evaded to so great a degree that in many particulars they are become inefficient. For example—State Legislatures have created offices of State who were never known before—offices, which, if at all necessary, could be as well or better filled by those who are not within the conscript age, or by disabled men who are no longer serviceable in the field—and these offices they have either filled themselves or contrived to have filled by able-bodied conscripts. Governors of States, pandering to their personal or partizan partialities, or aiming at their own selfish aggrandizement, have bestowed all manner of places upon favorites, to keep them out of the service. And following the example of these, judges, civil officers, bureaus, municipalities, have each and all had their favorites, and to the full measure of their abilities found safe resting places for them against the dangers of the military service And lastly the people—parents and kinspeople of the soldiers, instead of selecting for all those places of trust within their bestowal as far as possible those not liable to the army—have been coaxed and diddled by the veriest demagogues, into keeping them out—all seeming bent upon the fatal policy of serving their friends, instead of serving the cause.

What has been done with reference to conscription, has been done too with reference to impressment and tithing. Where crops have been most abundant, as a general thing—where larger areas have been cultivated than ever before, and Providence has rewarded the labor of the husbandman, men withhold their supplies—refuse to obey the obligations of patriotism, evade the performance of duty, and *hide*, aye, HIDE and conceal their surplus provisions and their legitimate tithes, while the soldier who is defending their all is left without rations to satisfy the cravings of hunger. *The man who thus hides away his provisions, is worse than a deserter;* for the deserter only carries himself out of the army to prey upon those who can support him; but the hoarder and hider keeps back food from the defenders of the country, and starves those who are our only dependence.

Then comes the speculator and extortioner—who trade upon the necessaries of the nation, who flee their homes in time of peril and distress and seek lodgment out of danger and whereabout to carry on their industrial traffic. And as helpers and comforters of this the worst and most pestiferous class in the land, are *those* Railroad companies, who are bribed and bought to give facility to this speculation and extortion—it being no common thing that ordinary transportation for individuals and Government cannot be obtained, while the speculator commands for his disposal, train behind train. And thus this monstrous folly and wickedness, which hinder and hamper the cause, begins high up, and descends low down to the lowest.

Are the people blind that they do not see all these things work against the cause for which we are struggling? Ye fathers, brothers, children, wives—who have those who are nearest and dearest in the army, do you not see that all these evils are against the soldier? They keep from his side the comrades who should reinforce him, and leave him to fight the battles against heavy odds Do you not see that every supply withheld is a diminution of his comfort, and a refusal of his rights? Do you not see that every facility given to the seekers of inordinate gain, is a reward to iniquity, at the expense of the soldier? Then why, ye people, do you not rise up in the might of your power and aid the government to crush out these evils? Why do you not report every unfaithful subordinate—name his offence, and bring him to punishment? Why do you not exercise the right of selecting all your agents, so as not to prevent the reinforcing of the army where your sons need help? Why do you not put your reprobation on Legislatures, who instead of sending men to the field where they are needed, are engaged in filling more "bomb proofs?"

If Congress has assumed to exercise the full power vested in it by the Constitution, it shall raise armies to sufficient strength—organize a Confederate militia—suspend the *habeas corpus* by which no good citizen has been or will be wronged, and punish conspiracy. If the government will hold its subordinates to the strictest responsibility, and punish official delinquency with severity—if this be done, the people will have cause to bless the day, and the soldier, the neglected soldier, will be able to recognize a grateful country.

If France and England will enter into a treaty with the Confederate States, recognizing our nationality and guaranteeing our independence upon the abolition of slavery in all these States, rather than continue the war we should be prepared to urge the measure upon our readers. We believe such a proposition would be favorably received and acted upon by those nations, and it *ought to be made to them.*

A few days ago, the foregoing was telegraphed throughout the Confederacy as an opinion of great importance. Something of an *official* sanction was attached to it, and a discussion burst forth upon the movement, as though the President were about to make the offer to France and England therein contained, and give away the Confederacy, as colonies, to the ancient proprietors. *We* did not catch the sensation. We saw nothing more in the article of the Richmond *Enquirer*, than the expression of the views of one journal—a journal, we admit, of great worth and respectability; and the views were such as we have seen in print more than once since the war began, and heard privately declared a thousand times. When the same proposition, couched indeed in more careful terms, was presented afterwards in the *Sentinel*, *we* were no more startled than before. We are well aware that although the *Sentinel* is so related to the administration that its columns are used more immediately for presenting the policy of the administration than others, yet it by no means follows that *all* that emanates from that paper, editorially, is intended to, or does exhibit the policy or intentions of the adminstration.

It was very evident that the particular editorial referred to, was not intended so to do. Both *its* article and that of the *Enquirer*, seemed to us nothing more than a strong method of expressing aversion to any return to the Yankee association. We did not deem the subject a fit matter of discussion, seriously—and we left it alone. When England and France and Spain are in the proper mood, they will approach us—and when *they* make propositions, it will be time enough for us to consider them. We have yet to learn that they are prepared to mete out to us even a fair neutrality.

We have entire confidence that the President has fully instructed the Government Representatives abroad in all matters appertaining to the interests of the Confederacy. Whenever the occasion offers, upon which relations will be established with foreign governments so as to bring out, officially, these instructions, the foreign governments will be struck with the same respectful admiration of the candid and dignified and consistent diplomacy of President Davis, as they have been with his home policy.

And we have further confidence, that in all matters wherein the Constitution hath not yielded the exclusive authority to the Confederate Executive, and imposed an exclusive duty upon him, the President will refer the matter, whether to Congress, or a branch thereof, or to the States, in such manner as will be best, in order to a safe and beneficial solution. It is laughable to see what a wonderful sensation was gotten up in Yankeedom on the same editorial. "See how they run!"

"Richmond"—"A Significant Editorial"—"Jeff Davis' Organ on the Crisis"—"The Rebel Watchword"—"Grand Exhaustion of Resources"—"Houses, Lands, Negroes, Money, and men to go"—"Statesmanship Baffled"—"An Alliance with Europe Preferred to Yankee Rule"—"More Energetic Measures Demanded"—"Rebel Trust in Providence"—"Their Cause Misunderstood"—"Dismal Forebodings of the Future."

If the editor were fool enough to believe half the above, we would be disposed to pity him, although he is a Yankee. But *he* is only duping the people—the object being to use the article of the *Enquirer* for obtaining more recruits. It was entirely in keeping with the Yankee character, that it should have been assigned to the *Sentinel*, for its relish would have been lost to the nation, had it not been *sauced* with a lie.

So Seward, when he ordered "copies to be sent to his foreign ministers," will have those copies as from the *Sentinel*, and thus by an easy forgery, not the first of his by odds, he will show that "the rebel government is admitted by their own leaders to be a failure; and that, already exhausted and worn out, they are seeking for some port of refuge; and this being the case, that they be no longer considered belligerents." This would be no bigger fraud than his forgery of Mr. Mallory's report.

In one sense, (and we doubt not that was its intention) the *Enquirer* has done good service. It has put the Yankee nation upon the deception that we are exhausted and worn out. It would not hurt us to leave them under this impression, provided we take care to be able to undeceive them.

The Bank of Fayetteville has declared a semi-annual dividend of fifteen per cent. The Bank of Clarendon a dividend of five per cent.

Yankee Notice of North Carolina.

We have been expecting to see the rejoicing of the enemy over the course of certain members of our Legislature; but it is seldom that we see a paper from the United States, and the Virginia papers, which do see them, seldom copy their articles; so we have as yet met with only one yankee response to the resolutions of Mr. Sharpe, a member from Iredell. Doubtless other papers throughout the whole of Yankeeland were as much pleased and encouraged by his resolutions as the New York *Herald*, from which we copy below a portion of a long article. It may not so appear to Mr. Sharpe, or other members who have offered resolutions and delivered speeches breathing hostility to our cause alone, and not to Lincoln or the United States, but we think the people who may take the trouble to reflect upon the subject cannot but see that all their resolutions and speeches have a direct tendency to encourage the enemy. It cannot be doubted that the war has been prolonged, the Confederate arm weakened, and the yankee arm strengthened, and the cause of Independence obstructed and the possibility of subjugation impressed upon the yankee mind, by the movements of a few men who, under a profession of a desire for peace which they cannot feel more than every one else, are poisoning the public mind at home and helping Lincoln abroad.—*Fay. Obs.*

The following are extracts from the *Herald's* article:—

"North Carolina is upon the verge of a revolt against the so called "Confederate States Government." On the 16th inst. there was a significant vote in her Legislature on the revolutionary issue of State rights. Mr. Sharpe, in the House of Commons, introduced certain resolutions declaring "that State sovereignty is the principal on which North Carolina and other States withdrew from the United States government, and therefore the States comprising the Southern Confederacy are sovereign, and the Confederate government is only the agent of the States, and subject to their control;" and declaring "further that the States in their sovereign capacity, have the right to take up the question of peace or war, and settle it without consultation with the President of the Southern or the so-called United States."

"These resolutions, which, if adopted as the voice of the North Carolina Legislature, would have been equivalent at this juncture to the secession of North Carolina from Jeff Davis, and the immediate collapse of the whole concern, were laid on the table by close votes of fifty-two to fifty. Within the next ten days, from the convincing arguments of Grant, Sherman, Thomas, Butler and Porter, those resolutions may be taken up again and passed by both houses of said Legislature, with amendments declaring that the time has arrived for the exercise by North Carolina of her "sovereign" powers of peace or war, and that a body of commissioners be accordingly appointed to confer with the other "sovereign" States of the "confederacy" in behalf of some arrangements for peace, regardless of the so-called Confederate government at Richmond.

It will be seen that the main point of the resolutions, which [illegible] votes of success ten days ago, was the repudiation of Jeff Davis in taking up this question of peace or war.

"Jeff is in imminent danger of being overthrown, superseded and set aside as the great stumbling block to the rebellious States in the matter of an early restoration of peace. * * * King Jeff is in a deplorable condition, and surrounded with hostile combinations in his own household not less alarming than the destructive combinations of Gen Grant.—Within a few weeks, or a few days, this revolution may become a chapter of history, and then we may anticipate an easy settlement in Rebeldom of the question of constitutional jurisdiction over the important subject of a treaty of peace."

For the Confederate.

Major Frank A. Bond, A. A. G.

The efficiency of the different classes N. C. H. G. is more attributable to this distinguished young officer, than to any other one man; and yet in all that has been written about them, his name has never appeared. A native of Maryland, he left a handsome fortune and a young family the day Virginia seceded, and enlisted in our service as a corporal, at Manassas Act. A. D. C. to Gen. J. E. B. Stuart, at Williamsburg, A. A. G. of infantry, Ewell's Division, through Jackson's famous Valley campaign, and the seven days fighting before Richmond, in command of his regiment. During the campaign of Gen. Jones in Western Virginia in the spring of 1862, he distinguished himself in all for cool judgment and great personal courage. Badly wounded at Gettysburg and left in the hands of the enemy. After languishing a year in Yankee hospitals he returned to the Confederacy, crippled for life. Pending the approval of his retirement, he volunteered as A. A. & I. G. to General Leventhorpe and went with him to Kinston.

Gen. Baker's absence placed Gen. Leventhorpe in command of the District, and the whole trouble and responsibility of consolidating into companies, organizing into regiments, and the issuing of orders to promote the discipline and efficiency of the Home Guards, devolved upon Major Bond.

During the recent advance of the enemy upon Kinston, the fact of the Colonel commanding having so able and experienced an officer to assist him, did much to inspire the troops with confidence.

Major Bond has chosen North Carolina as his future home. May she be proud of him, and may he never repent his choice.

W. C. R.

The New York *News* says: Preston Williams, a Baptist minister in Kentucky, was lately conscripted for the Federal army. His congregation was going to buy him a substitute, but he told them he would lead to the Confederate army as many as would follow him rather than allow a substitute to go into the army for him. He went with two hundred and thirty-five followers.

[So says the correspondent, "*Hermes*," of the Charleston *Mercury*. We must have better authority, before we accredit this as a fact.]

Supreme Court Decision.

MATTHEW JOHNSTON *vs.* PETER MALLETT.

Upon the facts agreed it appears that the petitioner had been enrolled as a private soldier under the Act of Congress, ratified the 17th Feb., 1864, prior to the time when he became a driver of the mail stage from Morrisville to Pittsboro'. The question then is, whether a mail contractor or driver of a post coach can claim exemption from further military service, under the Act of April 14th. 1862, by having become such after his enrolment as a soldier. The question arises under the last mentioned act; because the act of February, 1864, expressly declares that nothing therein contained shall be construed as a repeal of it. Mail contractors and stage drivers were not mentioned among the classes of exempts contained in the act of 11th October, 1862, and the act of April, 1863, was passed, no doubt, to supply the omission. The act is in the following words: "The Congress of the Confederate States of America do enact that the contractors for carrying the mails of the Confederate States shall be exempt from the performance of military duty in the armies of the Confederate States from and after the passage of this act, during the time they are such contractors; provided," &c.—Sec. 2—"That drivers of post coaches and hacks for carrying the mails on all routes where the weight of the mails requires that they should be carried in coaches or hacks, shall be exempt from military service in the armies of the Confederate States from and after the passage of this act, so long as they continue to be so employed as drivers; provided," &c. For the petitioner it is contended that the terms of this act are broad enough to embrace his case, whether he was in the army or out of it, at the time of his becoming the driver of a stage coach, and a decision made by Judge Halyburton, of the District Court of the Confederate States, in Virginia, is relied upon in support of it. On the other hand, it is insisted by the counsel for the Government, that the act in question was never intended to allow a soldier in service to exempt himself therefrom by taking a mail contract, or by being employed as a driver, and he relies upon the decision to that effect made by Judge Joynes of the Circuit Court of Petersburg, in Virginia. Adjudications made in this State were also referred to by the counsel on both sides.

In this conflict of judicial authority, I feel myself at liberty to adopt the strong convictions of my own mind as to what is the true construction of the act. All the acts of Congress called the conscription acts are, it must be confessed, strong war measures They can only be sustained, in point of authority, upon the unlimited power vested in the Confederate government, to declare war, and to raise and support armies; and in point of policy, they can only be justified upon the pressing exigencies of the country, struggling for national existence, with an enemy of vastly greater resources in all the means and appliances of war. It was with a full knowledge of this condition of the country that the conscription act of October, 1862, as well as the one now under consideration of April, 1863, were passed. The manifest object of the conscription acts was to call into the military service of the government as many persons as possible, without interfering with the necessary industrial, educational and other great interests of the country, and in favor of these interests the exemptions were granted. In making those exemptions I cannot discover in the acts any spirit to extend them beyond the purpose for which they were allowed Persons engaged in certain pursuits or occupations when the acts were passed, were not to be enrolled for military service, but there is no indication of an intention strong enough to show that if they were in the army, they were to be permitted to take themselves out of it. It is true, as Judge Halyburton says, that the words of the act exempting mail contractors, and post coach drivers, are broad enough to embrace persons in the military service, but that, I do not think, is the question. The true inquiry is, what did the law makers mean? Did Congress intend to let any person out of the army to perform a duty which could be performed quite as well by another person, though not quite as cheaply, while it was resorting to the extremest measures to bring men into it? It must be admitted that the terms of the act may be satisfied by applying them solely to persons not enrolled for service when they become mail contractors or mail stage drivers, and that construction must be adopted whenever we are satisfied that such was the intention of Congress. In the case of *Bridgman vs. Mallett*, I have stated the reasons which have led me to adopt that construction as the proper one, upon the act of February 17, 1864 and I think they apply with very nearly as much force to the other conscriptions, and their attendant exemption acts.

My opinion is, therefore, that the order made in vacation to discharge the petitioner, must be reversed with costs, and that he should be remanded to the custody of the Defendant

WILLIAM H. BATTLE.

Per Curiam.—Order reversed, and order to remand the petitioner to the custody of the defendant.

A LITTLE TOO FAST.—We learn from the Wilmington papers that about the time the enemy was making their assault upon the defences below Wilmington, certain persons in that town, merchants we believe, suddenly refused to take Confederate money and demanded specie for what they had to sell.—These persons supposed that Wilmington would fall, and therefore, no doubt, determined to take sides with the Yankees as soon as they got possession of the town. But they were a little too fast in their calculations. No true Southern man would cry if such persons were transported to Yankee land, along with all others who are demanding specie and thus aiding to depreciate the currency of the country. Our soldiers are paid in Confederate Treasury notes, their wives and children have to depend on it for buying the necessaries of life, and it is a shame for those at home to discredit it by demanding gold and silver in their transactions. We denounce the practice as not only unpatriotic but ruinous to the cause of the country.—*Char. Democrat.*

A Terrible Calamity.

On Saturday (yesterday) morning, about 2½ o'clock, a fire broke out in the Paymaster's department, occupied as such by Capt. Spurrier, C. S. A., in the building immediately south of the Charlotte and South Carolina railroad, and the North Carolina railroad passenger shed, and before assistance could be admitted to extinguish the flames, (the guard refusing admittance to volunteers, as we have been credibly informed,) the building was so far enveloped in the fiery element that it became impossible to subdue the flames.

The next building and adjoining one of the largest in the Southern Confederacy, occupied as a government warehouse, and headquarters for Major Echols, Quartermaster, and Major Lowe, Post commissary, was soon enveloped in flames and destroyed.

The fire then communicated with the large warehouse just being completed, to the south of the depot shed, thence to the shed, a large and beautiful structure, thence it crossed to the north, destroying the old building formerly used as depot and ticket office of the Charlotte and South Carolina railroad, all of which were totally destroyed.

The fire then ranged eastward, consuming the western wing of the North Carolina railroad depot, owned by the Charlotte and South Carolina railroad company.

By extraordinary exertions and a proffer of compensation, the progress of the fire was stayed and the spacious depot of the Charlotte and the South Carolina railroad company was saved.

The North Carolina railroad depot was also saved through the exertions of some of the soldiers and private citizens, among the latter of whom, who contributed largely by labor and exposure to save the Charlotte road depot, we mention, Mr. John Rigler, Maj. A. W. Burton, Mr. Howie and others, whose names are omitted simply because we were forced to leave without memorizing their names.

The loss by this conflagration cannot be correctly estimated. The government, railroad companies and associations, to say nothing of the loss by private individuals will sustain, cannot fall much if any short of $20,000,000; and this great calamity is the result of accident, and while the guard was on duty.

We regard it unnecessary to specify the losses sustained; in fact, it is best we omit that sort of a notice, but we will say this much, our railroad companies have lost heavily: and the Tredegar Iron Works company, of Richmond, have also suffered heavily.

It was reported by some of the members of company H, from Union District, South Carolina, two of their men, G. McKinney and F. Gregory, were missing, and it was feared they were burned in one of the buildings, but this is by no means certain.

Luckily, but two cars were destroyed on the N. C. road, and owing to the great risk, skill and unflagging energy of engineers, Prime and Burdell, on the Charleston and South Carolina road, two long trains of cars were actually coupled while their engine were surrounded by fire on all sides, and taken through to a place of safety while the flames were scorching the engineers on either side.

We have omitted to mention the names of many who deserve great credit for their efforts to save property, and the dangers to which they exposed their persons, but it is impossible to always do justice in such cases to the many who deserve honorable mention.—*Char. Bulletin, Jan. 8th.*

From the Charlotte Bulletin.

Arming the Negro Slaves.

When the question of arming the negroes was first started we expressed opposition to it, but at the same time remarked that we thought the discussion at that time was premature—that it was not proposed to employ them as soldiers, only in an exigency—that that exigency had not then arisen, and that when it did arise we thought a good deal might be said *pro* and *con*. The discussion of the question has, however, continued. We have taken no part in it ourself, but have admitted several communications upon the subject—all in the negative. By the way of showing what is thought of it abroad, we subjoin the following extract. It is from a gentleman now in Europe, to his brother in Charlotte.

[Extract from Private Letter.]

"It seems premature to speak of the effect that arming the negroes will have on the war, but of one thing you may rest assured, if the negroes should be armed and do their duty, you may confidently count on the South taking active possession of English sympathy in this quarrel. It is true material assistance may be as far off as ever, but the approval of the world is no small matter, and governments (at least English governments,) are acted on by, and must act according to, public opinion."

One thing connected with the attack upon the defences of this place, or rather with their defences, is of so gratifying a character that we cannot forbear calling attention to it because of its pleasing contrast with some things elsewhere occurring since the war by which the people have pained and the cause injured. The features to which we refer is the liberal and candid ascription of honor by General Bragg to General Whiting, Col. Lamb, Lieut. Chapman of the Naval, and Brigadier General Kirkland, and again by General Whiting to Col. Lamb and many others, and by all to the gallant men inside and outside of the Fort whose strong arm, and stout hearts sustained the whole. There has been no jealousy—no mean wish to engross credit or appropriate that due to others, but on the contrary, a generous emulation—a noble struggle in doing justice.

The official reports will, we feel certain, fully bear us out, and they will show further that the gentlemen of the army take pleasure in acknowledging the gallant service of their compeers of the Navy.—*Wilmington Journal.*

IMPORTANT ARREST.—The notorious Wm. Turner Fry, who has been charged with stealing so many horses in various parts of the State, was arrested in this town on Friday last, and is now safely in jail, awaiting the applications of the various jailors in other counties who have advertised a desire to extend their hospitalities to him.—*Fayetteville Observer.*

Decisions of the Supreme Court.

IN THE MATTER OF EDWARD HARWELL.

This case turns upon the principles considered in the case of Goodson, decided at this term, but the facts of the case being different, we are conducted to a different conclusion.

The petitioner was forty-five years of age in May last. He had been exempted anterior to the passage of the law of the 17th of February, as a miller. After the passage of that act, viz: in the month of March, he was enrolled and another exemption paper given, which after the act of February repealing exemptions in such cases, could only operate as a furlough or detail. He was afterwards, viz: on the 16th of June, ordered into camp; he applied for a detail; this was refused; he was again ordered into camp and sued out the Writ.

The enrolment and detail which took place in March, about two months before he reached the age of forty-five, fixed his "status" as a soldier. He was properly enrolled in the body of the regular troops where the term of service for the war is prescribed by the acts of 1862.

Per Curiam. The petitioner must be remanded to custody and the costs taxed up against him.

(Signed) M. E. MANLY, J.

NOTE.—It will be remembered that in Goodson's case, he was not enrolled until after he was forty-five years old—it was decided that he belonged to the Senior Reserves.

WHYTE *vs.* MALLETT.

Assuming that the plaintiff was in the first instance entitled to exemption as the owner or manager of fifteen hands, we are of opinion that he is too late in now making an application on that ground.

One of the conditions of the exemption is, that the party shall sell the surplus of provisions and grain now on hand and which he may raise from year to year, to the government," &c. We think the application must be made in reasonable time, so that the government may have the benefit of this condition in respect to the provisions and grain on hand. This application was not made until November, 1864, nine months after the passage of the act, which is not in reasonable time; for during that period the surplus of provisions and grain on hand in Feb., 1864, may have been sold, exchanged or otherwise disposed of, and the government lose the benefit of a condition which has been made impossible by the act of the plaintiff.

Whether an allegation that the plaintiff had on hand at the time he made the application now relied on, the same surplus of provisions and grain that he had in February, 1864, would have met this objection, is a question not presented. It would seem, owing to the nature of the subject that, the government should not be subjected to the inconvenience of going into such collateral matters by the folly or misfortune of the plaintiff, in not putting his claim to exemption in the first instance, on the ground he now takes. In other words, the exemption is made to depend on a condition precedent, that the government shall have his surplus provisions and grain at certain rates. Its performance is made impossible by the delay of the plaintiff, which is

The case of Savage, on which his honor puts his opinion, was decided without reference to the point on which this decision is put. It is a new suggestion on the construction of the act of Congress, but as we think, well founded. There is error. Judgment reversed, and judgment that the petitioner be remanded,

(Signed) R. M. PEARSON, C. J.

DRUNKEN OFFICERS.—Some weeks ago a resolution was introduced in Congress calling for information as to how many officers of the army had been convicted of drunkeness since the passage of the law on the subject. In answer to this inquiry Gen. Cooper, Adjt General, in a communication to Congress, states that the total number of officers convicted of drunkeness since the commencement of the war is 151; number tried and acquitted of the charge 71. From information received from men who have been in the service, we judge that all the officers who are guilty of intemperance have not been court-martialed.

Among the incidents related of the meteoric shower of 1833, we clip the following from a Macon paper.

An old Quaker gentleman, who lived in Virginia, was among the unfortunate ones who failed to witness the phenomenon. Having heard of it among his neighbors next morning, he spoke of it to his family, none of whom had seen it except a half witted boy who was kept about the house to do the chores. Said—the boy's name—told Mr. P. he had seen the "stars fall." "Why didn't you tell me of it?" said Mr. P., somewhat crustily, being wroth that he had missed so rare a treat. "Why," said the crude Sid, "I thought it was nothing uncommon—I thought the stars fell every morning. I didn't know where else they went to.

NO COMPLIMENTS IN PRAYER.—We have heard some prayers which were intended to affect the hearer, rather than to reach heaven. The following characteristic anecdote of John Randolph is a keen rebuke of the practice:

In one of his spells of repentance and sickness he was visited by a minister, who, at his request, prayed for and with him. The minister began in this wise:

"Lord, our friend is sick. Thou knowest how generous he was to the poor, and what eminent services he has rendered to his country, and how he is among the honored and great men of earth——"

"Stop, stop," said the impatient Randolph, "no more of such stuff, else the Lord will damn us both."

AN UNLUCKY NUMBER.—A letter from Rome, says that recently thirteen pickpockets were taken up by the papal police and brought to the lock up. The "intelligence officer" who superintended the stations released one of them, on the ground that thirteen was such an unlucky number

BENEFIT OF ADVERSITY.—A smooth sea never made a skillful mariner. Neither do uninterrupted prosperity and success qualify us for usefulness or happiness. The storms of the ocean, rouse the faculties and excite the invention, prudence, skill and fortitude of the voyager.

It is stated that the most of the Cotton captured by the enemy at Savannah belongs to the British Government and British subjects.

THE CONFEDERATE.

WEDNESDAY, JANUARY 18, 1865.

We were considering the analogy between our condition and that of the Romans after the battle of Cannæ, and were conjecturing in our mind whether Congress and the people would prove themselves worthy of independence, as did the Roman Senate and people in those "days which tried mens souls," when we found the same current of thought had been engaging the attention of our contemporary of the *Southern Confederacy*, and we adopt his sentiments as our own:

NIL DESPERANDUM.—After the fatal battle of Cannæ, the Consul Varro, with the wreck of the Roman army, hastened to the Capital, which he belived would be immediately attacked by the victorious Hannibal. Out of the powerful Roman army which went into action, only ten thousand men could he collect at the gates of the city. Forty thousand dead Romans lay on the battle-field. Rome had no army in the field. The war had gone on for years, and army after army had been destroyed in succession by the Carthaginian hero; and now, this crowning disaster seemed to lay the power of Rome at the very feet of the conqueror.

The Roman Senate, amid the general consternation, displayed a heroic spirit which saved the Republic. They ordered the gates of the city to be shut, lest the exaggerated reports of the fugitives from the disastrous battle field should increase the general alarm. The women were ordered to remain in their houses, lest their cries and lamentations should dishearten those whose duty is now became to cast aside the infirmities of age and defend the city. The Senators moved everywhere, and by their firm counsels and undismayed deportment, strove to the utmost to instil courage into all hearts. When Varro approached the city with the shattered remnant of his army, instead of upbraiding him for the rashness which had lost the battle of Cannæ, the Roman Senate met him and thanked him solemnly because *he had not despaired of the Republic.*

The result is known, and will live always on the pages of heroic history. The war was renewed by the unconquered Romans. After long years of struggle and blood, the invaders of Italy were driven back to their home; and finally Rome destroyed her great rival. A moment of despondency by the Senate at the critical moment, and Rome would have perished.

The situation of the Confederate States this day is infinitely more hopeful than that of Rome in that dark crisis. While we say this, we do not deny that the events of the war within the past few weeks have been damaging and dangerous in the extreme. The position of Sherman menaces the supply of food to the Army of Virginia, on which our occupation of Virginia, depends. And Hood's disaster in Middle Tennessee leaves the victorious army of Thomas to follow our shattered legions whithersoever they will. Such is the present prospect. But we must never despair. To despair is to submit to be trodden under foot by the haughty and bloody minded Yankee, to lose our personal liberty, perhaps to lose our lives, and certainly to lose what is more important than life itself—*our honor.*

If anything were wanting in the picture, it is that justice is hardly done to the Roman Senate. On the motion of Fabius, each Senator was invested with the power of a magistrate. They were to prevent all lamentations—to [illegible] the people from meeting in forum lest they should pass resolutions in favor of peace—the embassadors of Hannibal, were refused an audience, and the Senate occupied itself hourly in taking all steps possible for the safety of Rome. It was at this time that young Scipio, hearing that Metellus had formed the design of flying from Italy, despairing of the Republic, stood over him with a drawn sword, and made him swear that he would neither desert the Republic nor allow others to do so. Not only were new levies ordered to fill the ranks which had been thinned by the heavy losses in battle, but *but eight thousand slaves were purchased from their masters, to serve as light troops*, while all the exempts, and those incapable of serving in the Roman Legions, as insolvent debtors, prisoners, &c., were enrolled. By this time Capua, the second city of the Republic, had opened its gates to Hannibal, and all Southern Italy had declared in his favor. The Senate of Nola, fearing a like disgraceful capitulation, sent for Marcellus, who threw himself into the city, and a successful sally repulsed Hannibal from the gates. He then seized and executed seventy persons suspected, and entrenched himself strongly in a fixed camp near the city.

Without further recital of what is common historical incident, suffice to say, Rome was saved by the heroic action of the Senate, by its prompt and vigorous measures. And this is what we need now—strong and decisive action by Congress—some combination of legislative measures, by which the government will be invigorated, the army reinforced, and the confidence of the people reinspired. If this were done, there is no danger to this nation of subjugation. It only needs to methodize the resources and employ them wisely and economically, and they are yet amply sufficient to carry on a successful defence. Two essential requisites there are, for success: The people must come to look at the horrors of subjugation as they really are, and make the necessary sacrifices to avoid them; and *all* who attempt to sow disaffection, must be rebuked into silence, that harmony in the great work may prevail.

GEN. JOSEPH E. JOHNSON.—A large and influential meeting of the citizens of South Carolina was held at Columbia on Monday. Resolutions were passed earnestly requesting President Davis to restore Gen. Joseph E. Johnston to duty, and recommending that he be placed in command of all the troops requisite for the defence of South Carolina and Georgia against the farther incursions of the enemy.

RESIGNATIONS.—Col. S. D. Bryson, of the 25th Regiment, and at present Senator from Macon, Haywood, Jackson and Cherokee, has resigned his position as Lt. Col. of the 25th Regiment; and Lt. S. D. Hampton, 60th Reg't. N. C. Troops, has resigned.

There has been for some length of time in the Confederacy, a class of persons who have seen in our government a alarming tendency to despotism. In their estimation, it wages unceasing war against the interests of the people. This class effect to be supporters "*par excellence*," of the *civil law*—their daily and nightly song being, "The civil law must be superior to the military. The privilege of the writ of *habeas corpus*, it must be preserved. Freedom of speech and of the press, they must not be assailed." This class of persons are to be found in all our cities—Richmond, Raleigh, Columbia, Charleston, Augusta and Savannah. In Savannah they were distinctly known—marked, and well understood men—just as they are elsewhere.—Their habit of abusing their government had inspired distrust of their loyalty; and before Sherman occupied Savannah it was predicted of them, that if the enemy did reach there, they would submit—take the oath of allegiance, and surrender to the yankee domination. And these predictions have been literally fulfilled, just as they will be fulfilled with reference to similar persons in other places, under like circumstances.

A very natural question may be asked with reference the Savannah submissionists. In going out of the Confederacy and going under Sherman's rule, have they found the supremacy of the "*civil law*" which they profess to have been seeking? This is the question. The answer is to be found in "military orders, No. 143, issued at Savannah, signed "by order of Major General W. T. Sherman, L. M. Dayton, Aid-de-camp.

"1st. During war the military is superior to civil authority; and where interests clash, the *civil* MUST give way." This is the summary disposition which Major General W. T. Sherman makes of the peculiar doctrine of the "supremacy of the civil law." And pray, where are the lusty "agitators" in Georgia, whose tender necks could not bear the heavy yoke of Confederate oppression, because the "supremacy of the civil law" was in peril? Those who thought to try a change, to see if under Lincoln's rule this coveted *supremacy* might not be found. They are dumb as sheep—mute as mice. Sherman took not a moment to squabble about their cherished tenets. His blow was aimed at "certain characters"—cowardly and despicable characters—who had bartered their honor, because they had not the courage to maintain it, and he not only said to them that the "military is superior to the civil law," but he most significantly announces that if they did not strictly walk in the way of his marking out, there would be a "*clash*;" and then the civil must give way.

And as for *habeas corpus*—freedom of the press and of speech—these same "special field orders" likewise dispose most swiftly of all these.

Only two papers are allowed to be published in Savannah; and these are warned in advance, of their strictest accountability, if they should presume to put forth any "mischievous matter, [illegible] ments, or any comment whatever upon the acts of the constituted authorities."

Verily, the citizens of Savannah who has been taught to look to yankee protection, have found most abject subjugation. By this time many of them begin to know it, for we see the exodus is already beginning.

Important For Us.

Two events have just transpired very important both of them, for us. One of them is the removal of Butler the Beast, and his order to report at Lowell, Massachusetts. We presume there is some *emeute* among the factory girls, which the courageous Butler is required to subdue. We had hoped that this *famous warrior* would have been retained in his command.—When Alaric of Gothic memory, departed this life, Adolphus, his successor, set to work a number of laborers, and having diverted the river from its original course, buried him in the ancient bed of the stream; and the more effectually to hide the remains out of the knowledge of men, he caused the workmen to be put to death and buried them likewise. Now, in one point of view, Butler and Alaric are alike—both are brutes and both barbarians, and we had hoped to have given our Goth a similar disposal. The Dutch Gap canal approaches completion; when the last spade of earth is dug out, it is expected that the James river will take the new direction; in which case the old bed is a neat grave, dug to hand, for Butler, his workmen and assistants. It is a pity he loses the opportunity of such distinction.

The other event we spoke of, is the *arrest of the Honorable* H. S. Foote, at Occoquan, on his way to Yankeedom—that refuge of *oppressed* liberty of which he spoke so felicitously in his last speech in Congress. But why arrest him? We are glad to see the government did not order it. The very best luck that could befal the Confederacy in connection with Mr. Foote, would be his exit out of it. He can do it no harm, except by staying in it. And the same may be said of all his *coadjutors*. If we could pick up one and all the votaries of his kind of peace, and export them with himself across the borders, the Confederacy might well bid them God speed, with a devout wish never to "look upon their like again." Let the people remember what we have often told them—the natural inclination of this sect of *peace negotiators* is towards Yankeedom. Sooner or later, if the Yankees don't come to them, they will go to the Yankees, or be caught attempting it.

Our adversities rightly used, will do us good. The *chaff* will be winnowed from the wheat, and each to its appropriate destiny. Let but Congress do its duty, and all will be well.

REFUGEES FROM SAVANNAH.—We understand that two steamers have been dispatched down the Savannah river to Purysburg, where a flag of truce communication between the Confederate and Federal authorities take place to-day. There are some five hundred persons to be received, who have been banished from Savannah by order of Sherman.—*Augusta Constitutionalist.*

We commend to the attention of our readers the article in this days paper on the now highly important question, as to whether we shall use that great element of defence, our negroes, in the present war, in which, without success, we lose not only our negroes, but every other property, and also our good name and liberty. We know the author of the article, and know him to be a large slave owner a man of experience and well acquainted with all the phases of the question he discusses, that he is a true lover of his country, has lived for years at the North, and knows the character of its people, their object and design in this war; and does not hesitate to declare that object not to be *reconstruction*, but *plunder and spoliation*. We know that he is likely to suffer as great a deprivation of his slaves as any of our acquaintance, but his confidence in General Lee and his own judgment, fully persuade him that the measure is not only important, but necessary. He has freely given his sons to the service, and freely offers his negroes to the government, to aid in getting our deliverance from the tyranny and spoliation of the Yankees.

Important Decision on the Tax Question.

The Mobile Register, of Saturday morning, contains a lengthy decision rendered by Hon. Wm. G. Jones, Confederate judge for the State of Alabama, in the case of the Savings bank of Mobile against Henry Baruwell, Confederate States tax collector.

The plaintiff brought his action at law to recover sums of money it had been compelled to pay as Confederate taxes for 1864 on State bonds, purchased by it from the State of Alabama, and the questions presented were: Are State bonds taxed by the act of Congress, and if so, is such taxation constitutional?

The plaintiff also embraced in his suit a claim for money paid in new issue as soldiers' tax, levied and collected under the act of the 10th of June, 1864, and this branch of the cause turned on the question whether the plaintiff was not entitled to pay this tax in four per cent. certificates issued to plaintiff under the funding act of February, 1864, and which certificates have been since held by plaintiff. The tax collector compelled payment in Confederate notes of the new issue, refusing four per cent. certificates. The case was in the nature of an agreed one by Government and plaintiff, and the questions arose on separate State demurrers to each count of the complaint.

The case was argued for plaintiff by Robert H. Smith, Esq., and P. Phillips Esq., and for the Government A. J. Requier, Esq., district attorney, and the court decided:

1st. That Congress did not possess the constitutional power to tax State bonds.

2d. That the tax acts of Congress did not attempt to embrace State bonds as a subject of taxation.

3d. That soldiers' tax was payable only in Confederate treasury notes of the new issue, and could not be paid in four per cent. certificates, and that the act of Congress in requiring the tax to be thus paid did not violate the pledge given by Congress, in the funding act, that the four per cent. bonds should be received for all public dues payable in 1864. That this pledge only related to the taxes then provided to be levied, and did not extend to such as the necessities of the Government might require to be afterwards raised.

AFFAIRS IN POLK COUNTY.—Last Thursday was a day of intense excitement in Columbus Village, N. C., a day long to be remembered and one which has caused many families to feel the pangs of deep distress, grief and sorrow.

The bloody affair began about noon, in this way: Lt Tom Lane, in command of some citizens and soldiers for the purpose of putting down some acts of outlawry which had been perpetrated upon the citizens of Polk and adjoining counties, proceeded to the house of Pate Hunter, (in the village) and notified him that he was then a prisoner, also notifying Hunter's two sons, Charles and Sam, that they were likewise prisoners. The senior Hunter (who was in his shirt sleeves) requested to be allowed to go into the house for his coat, which was granted by Lane. The three Hunters walked into the house, and in a few moments appeared at the door, each heavily armed, the senior leading the way, brandishing two large bowie knives; the sons with Colt's army pistols in hand. As soon as they cleared the enclosure, Pate Hunter remarked to Dr. Columbus Mills, "I will kill you, you d—d old rascal," making at the same time rapid strides towards the Doctor, and calling upon his sons to fire. Lane, to save the Doctor, sprang to his assistance, and exploded a cap of his pistol at Hunter's head. At this time Lane and the young Hunters began to fire their pistols in deadly earnest. The other party firing without stint upon Pate Hunter, killing him instantly; the position of Lane and the young Hunters being such that to shoot would be endangering the life of Lane. The boys had it all to themselves. By this time, Lane gave Charles Hunter a severe shot, who fell to the ground, the other two firing at Lane with telling effect. Lane now fell to the ground, pierced by three balls, but yet able to fire, which he did at Sam Hunter, who was making off, striking him in the elbow joint. Sam Hunter now drops his pistol and makes off, the guard firing several shots but doing no damage. Sam makes a temporary escape.

The guard soon arrested some citizens who they had heard from reliable authority were accomplices of said Hunter and others. A posse followed to the house of Hunter, where they found him wounded as above described.

To tell what has since followed my pen almost falters, but to be a warning to others the truth must come. The arrested party were sent off under guard, the secret of which none other can tell. The news was soon in circulation, however, that the whole party of four were killed, not more than a mile from the village of Columbus. The friends were anxious to to find out if such was the case, upon a search, which I am informed was, alas! too true.

P. S.—Lane is yet alive and some hope of his recovery.—*Henderson, N. C., Times.*

GREAT, FRESH.—The Cape Fear is swollen by the great rains to an extent rarely witnessed. It backs up the Cross and Blount's creeks to the very centre of this town, passing over several mill and factory dams, up to the dam of the Merchant Mills at Eccles' Bridge. The damage to the machinery of mills and factories must be very heavy, and the loss of time a serious drawback. The machinery is submerged at McLauchlin's Saw and Grist mill, the Cross Creek, Blount's Creek and Fayetteville Mills Cotton Factories, and Mr. John Gee's Grist Mill.—*Fayetteville Observer.*

Fire in Salisbury.

About 7 o'clock yesterday morning, Mr. Jas. H. Enniss' building (better known as the old George Brown house) was discovered to be on fire. It had made, comparatively, little progress, when first discovered, but owing to the very combustible nature of the buildings, all efforts to arrest the flames proved useless until the houses from Mr. Wm. Murphy's brick store, following the street around to that of Jas. H. Enniss', (now used as a Commissary depot,) were laid in ashes. Several of the rooms consumed were occupied by officers of the government as Commissary and Quartermaster depots, workshops &c., but little portable property either belonging to the government or individuals, was destroyed. Mr. Caruthers who occupied rooms in the Enniss building as store and residence, lost every thing. Mr. Enniss himself who was carrying on a shoe factory for the Government, lost between eight and ten thousand dollars worth of leather. The Government's loss in leather, tools, &c., probably amounts to eighty thousand dollars. Its loss in the Post Quartermaster's department, was comparatively small. The owners of the buildings consumed, Messrs. Enniss, Fraley, and McNeely & Young, and the Messrs. Hall are the principal sufferers.

The Government lose of leather in Mr. Enniss' factory, was owing to the fact, that the fire occurred in a room immediately under the leather, rendering it absolutely impossible to remove it.

The Commissary lost nothing except what was appropriated by rogues in the confusion. The Quartermaster's loss was greatest in this way, also; though his private loss was considerable.

The fire was undoubtedly the work of an incendiary. It originated in a store room of the Enniss building occupied by Mr. Smithdeal. Mr. Smithdeal was absent and his store was closed, but the miserable miscreant who perpetrated the deed, it is believed, entered this room, set fire to the building, and re closed the doors. No one has, as yet, been identified as the guilty person, but strong suspicions rest upon several who are universally odious to the community, as well as disloyal to the South.

We were in hopes that the fire which recently occurred at Charlotte, under very suspicious circumstances, would prove a warning to our people which would inspire increased vigilance against a like disaster, but it seems that it was not so. And even now we fear that many of our people will be slow to believe that we have a band of incendiaries in our midst, brought over by the enemy to burn our towns, destroy our commissary stores, and injure us in whatever way they may. To our mind there is nothing that seems more evident. We hear of fires in all directions. Nobody knows how they originate. It is announced that it is the work of an incendiary. The people accept it as satisfactory and assume their wonted security—fatal, criminal security. Let them arouse from their lethargy. We have enemies in our midst—mortal enemies to our cause and government. Let there be vigilance committees instituted in every town, and village, and community. Show no mercy to disloyalty and treason. Send those who are against us across the lines or put them in prison. And let those guilty of crime be punished with the utmost rigor of the law.—*Watchman, 14th.*

Sherman's Movements.

It seems to be generally conceded that Sherman, after having traversed the State of Georgia and arrived at Savannah and captured that city "without impediments," will not long remain idle there. His final objective point is Lee's army. The effect that army can cut the railroads throughout his line of march in Georgia, since it is known that Southwestern Georgia has been one of the grand sources of supply for the army of Northern Virginia. To further interfere with the supplies of that army and to cut off military communication by railroad he will be certain to aim his next blow at the railroad of South Carolina, his primary point probably being Branchville, and incidentally, Charleston, but first, and primarily, Branchville, we think.

We should not be at all surprised to learn that his movement has already commenced, and that his troops are even now in motion. Circumstances seem to point to that conclusion. One of these circumstances is the renewal of the attack or demonstration against Wilmington, and especially against the defences of its harbor. As yet we cannot assign to that movement its proper character whether as a feint or a real attack—whether simply intended as a diversion, or seriously designed to attempt the reduction of our forts. Either way, we think it is so timely as to cooperate with any movement made by the enemy operating at the South. If they *can* do anything here, so much the better, they think, and even if they cannot, they no doubt calculate that they can succeed in detaining a certain amount of force here, and thus removing that much of opposition out of the way of Sherman's movement from Savannah.

We will know something more about this matter before going to press. Our people are cool, and exhibit no nervousness.—*Wilmington Journal.*

The Yankee General Sherman

This officer, now in possession of Savannah, made known his notions of the proper treatment of rebels, in a long letter published before the commencement of his Georgia campaign. His theory was to rob the people of provisions and burn mills and factories, and if they do not then submit to the "best government the world ever saw," to dispossess them of their property, drive them into foreign lands, and introduce a new population. As justification of this policy he cited in his letter the treatment of the revolted Irish by William and Mary, two centuries ago, and the punishment of Satan and the rebellious angels. It is now said of him, that "since he left Milledgeville, Sherman seems to have changed his policy. In that town, as before at Atlanta, he was all harshness and brutality; at Savannah he has been all conciliation." This last is probably the result of advice from some of Governor Brown's men. It plainly is not Sherman's own policy, nor that of his government, for the bitter malignity of both has been too often and too outrageously manifested to be susceptible of a doubt.

We have reason to believe that since Sherman has been in Savannah he has expressed his determination to let loose his soldiers as soon as they get into South Carolina, declaring that he neither could nor would restrain them. This diabolical purpose accords with the expressions of fiendish hate of that State always indulged in at the north. And should Sherman invade that State, as doubtless he will, the world may look for a system of cruel and brutal outrages in comparison with which those of the past four years will appear merciful and kind. We take it for granted that South Carolina understands all this and will nerve herself accordingly. Her women and children and old men living along his route will do all to flee for their lives and their honor.—*Fayetteville Observer.*

TELEGRAPHIC

REPORTS OF THE PRESS ASSOCIATION

Northern News.

RICHMOND, Jan. 10.—The New York Times of the 7th received. The only item of interest is a telegram in the Herald, from Grisely at Washington, copied from the Tribune, indicating that Greely still attaches importance to Blair's peace mission. He says further and interesting developments may be made in a few days.

Gen. Grant has returned to City Point from Washington.

RICHMOND, Jan 10.—Amongst the returned prisoners who arrived in Richmond to-night from Yorina, are E. A. Pollard, of the Richmond Examiner, Col. Mike Wood, of the Montgomery Advertiser and Judge Rush, of Marianna, Fla.—Some of the most intelligent prisoners report as their conviction, the result of observation, that the North is tired of war, and that if the Southern people hold out manfully, as heretofore, they will secure their independence before next summer.

Confederate Congress.

RICHMOND, Jan. 10.—The House passed the Consolidation bill to-day—yeas 43, nays 34.—Nothing of importance done in the Senate.

From Wilmington.

RICHMOND, Jan. 12.—An official despatch from Wilmington to-day says, fifty vessels are in sight, mostly opposite the point of former landing.

From Richmond.

RICHMOND, Jan. 11.—The Examiner of this morning states, on the authority of Mr. Pollard, that Butler has been relieved of his command and ordered to report at Lowell, Mass., his place of residence. Gen. Ord has been assigned to the command of the army of the James.

Confederate Congress.

RICHMOND, Jan. 11.—In the Senate, Mr. Watson submitted a proposition, joint resolutions, which were agreed to, requesting the President to appoint a day of fasting, humiliation and prayer, and then resolved into secret session.

In the House, Mr. Miles offered a resolution, declaring that all attempts made for peace with the United States by the action or intervention of the Confederate States comprising the Confederacy, are unauthorized by the Constitution, are in contravention to the supreme law of the land, and therefore revolutionary. That the Confederate States are prosecuting war to establish their independence as a separate power; and that Congress is firmly determined to continue the struggle in which we are engaged until the United States shall acknowledge our independence. The resolutions were ordered to be printed.

The Senate bill to provide for the payment of the interest in removal and subsistence fund due Cherokee Indians in North Carolina, passed.

The exemption bill was taken up, and pending its consideration, the House adjourned.

Bombardment of Fort Fisher.

WILMINGTON, Jan. 13.—The Yankee fleet, about sixty vessels, attacked Fort Fisher this morning about 7 o'clock. The bombardment lasted all day.

The Yankees landed a force about five miles above Fort Fisher, on the coast, this morning. No particulars received.

Gen. Whiting is commanding in the Fort.

Fire in Salisbury.

Salisbury, Jan. 13.—A fire in Salisbury was discovered this morning about 7 o'clock in the vacant store room in the Geo. W. Brown building, now the property of J. H. Enniss. It spread with great rapidity to the right and left and rear involving almost every wood building in the block. Murphy's three story brick store arrested the flames on the south, and Enniss' brick building now occupied by the Commissary department arrested it on the north. The buildings of the Quartermasters department were destroyed and with them some property, but how much is not yet known. Loss of moveable property either public or private not very great; believed to be the work of an incendiary.

From Richmond.

RICHMOND Jan. 13.—Ex-Gov. Foote has been arrested at Occoquan Prince William county. The charge upon which the arrest was made not made public. It is understood to have been without instruction from the authorities in Richmond. Mr. Foote has not occupied his seat in the House of Representatives for nearly three weeks. He went towards the Potomac for the purpose of sending his family accross that they might reach their home in Nashville.

Confederate Congress.

RICHMOND, Jan 13.—The Senate was in secret session.

The House amendments of the Senate bill providing clothing for officers of the army and navy was concurred in. The bill increasing the number of active midshipman and several other naval bills from the Senate were passed; also passed the Senate bill providing for the transmission of newspapers to officers, privates and musicians in the army. Also the House bill providing for the payment of interest due the Cherokee nation on certain State bonds, the payment of which was assumed by the Confederate States. The exemption bill was taken up and further considered until adjournment.

President Davis sent a message communicating the report of the arrest of Foote in Northern Va., while endeavoring to pass our lines on his way to the enemy's country. Accompanying it was a note to the President from the Secretary of War, which says no special instructions were given for such arrest to the provost marshal at Fredericksburg, who made the arrest. He says in a telegram dated the 12th: I have arrested here Hon Henry S Foote at Occoquan, on his way to Washington, for the purpose of negotiating peace, as he avows. I have paroled him to await instructions. On motion of Mr. Clarke the matter was referred to a select committee of four.

RICHMOND, Jan. 14.—Senate in secret session.

The House resumed the consideration of the exemption bill.

The clause in the present law relative to ministers of the Gospel was read and adopted.

Northern News.

RICHMOND, Jan 13.—Northern papers of the 11th have been received. The report of Butler's removal is confirmed. A public meeting was held in Philadelphia on the 9th, to devise means for the relief of the suffering inhabitants of Savannah. The committee appointed to solicit subscriptions to purchase and send a ship load of provisions to that city.

Thomas is concentrating his army at Eastport.

The Herald advises the Union armies North and South to enforce the Monroe doctrine on the whole extent of this continent against England, France and Spain.

RICHMOND, Jan. 14.—Northern papers of the 12th received. The American says, Butler's [illegible] well address to the army of the James is in excessive bad taste. It would seem like a Mexican pronunciamento than the address of a New England General. His farewell is said was made by the President at the request of Government. Butler tells the troops in his address he has refused to order the sacrifice of their lives. Their blood does not stain his garments.

The Missouri State Convention, by a vote of 50 to 4, passed the ordinance of emancipation abolishing slavery in that State. Butler has tendered his resignation.

The Galt House at Louisville, a well known hotel, was destroyed by fire on the eleventh.

The Union State Convention assembled in Nashville on the eleventh. Samuel Rodgers of Knox county was made President. A bitter discussion arose on the basis of voting. East Tennessee wanted each county to have one vote for every hundred cast against separation in sixty-one; this was carried after intense excitement and the Convention adjourned.

A telegram confirms the report of the evacuation of Fort Smith and Van Buren by the Federal forces. Another telegram says Fort Smith has not been evacuated.

Gold on the 12th, 319.

Personal.

RICHMOND, Jan. 12.—Frank P. Blair arrived in this city yesterday. He is staying at private quarters. The Evening Whig says it is reported he had an interview last night with the Secretary of War. No developments in regard to the object of his visit.

From Richmond.

RICHMOND, Jan. 15.—Frank P. Blair left by flag of truce boat yesterday. Col. J. W. Singleton of Illinois, a prominent peace democrat, arrived on return trip and took lodgings at the Spotswood Hotel. It is understood that Blair had a private confidential interview with the President. He came in no official capacity and has had no official intercourse with any member of the government. The belief is well informed circles is, that this intercourse may lead to a conference between authorized agents or commissioners of the two governments. It is known the President will permit no obstacle of any form to stand in the way of sending or receiving commissioners.

From Petersburg.

PETERSBURG, Jan. 15.—No change has occurred in the military situation around this city during the past week. The enemy daily expend much ammunition in shelling our lines, but to little or no purpose. He never can accomplish the dismounting of a gun. The damages to works and bridges by the late rains have been repaired. Grant's troops are being constantly drilled and perfected in discipline.

Northern News.

RICHMOND, Jan. 15.—Northern papers of the 13th received.

On Thursday the Senate adopted a resolution to termin to the Canadian reciprocity treaty—yeas 31, nays 8. There is now no further doubt of the termination of the treaty.

A telegram from Cairo of the twelfth, says Forrest is reported concentrating a large force at Paris. The same dispatch gives some details of Grierson's raid. General Gholson is among the Confederates captured.

A telegram from Wheeling says the enemy under Rosser captured the town of Beverly and a large portion of the force defending it, on the eleventh.

McClellan will leave New York for his Europe an tour early in February.

James Guthrie has been elected Senator from Kentucky, to succeed Powell.

Gold 220.

European News.

RICHMOND, Jan. 15.—European advices of the 31st received. The London Times, alluding to the present attitude of the United States to Canada says, in the present state of Northern feeling, there is much reason to apprehend some outrage which may render a rupture inevitable. The Americans neither appreciate the strength of England, nor understand the unanimity with which war would be prosecuted if forced upon a reluctant government and nation; and the first result of war would be the immediate and irrevocable establishment of Southern independence.

OVERSEER WANTED.

By the undersigned, to take charge of a Plantation in Franklin County. He must be an *exempt*, must have a small family only, must be *willing* to obey orders and to give his whole time and attention to my business. A disabled soldier prefered. Apply to

H. K. BURGWYN,
Garysburg N. C.

dec. 28-d5t-tw3t.

A PRIVATE SCHOOL.

The FIFTH SESSION of MISS MANGUM'S SCHOOL for young Ladies, will begin on the 10th of February. Only a limited number of pupils can be received.

For further information, address Miss M. P. Mangum, Flat River Orange County N. C.

dec. 28-w6w.

GLEN ANNA FEMALE SEMINARY, THOMASVILLE, N. C.

THE next Session begins January 25th, 1865. Board $7 per month, payable in provisions at old prices, or $150 per month, Confederate money, in advance. Tuition—English Branches, $50; Music, $50; Latin or French $25.

Each young lady will furnish one pair of sheets and pillow cases.

J. W. THOMAS, Pres't.

dec 21-d2tw6t

$500 REWARD.

STRAYED OR STOLEN from the quarters of the A. Q. M., of Dearing's Cavalry Brigade, on the night of the 5th inst., a BLOOD-BAY HORSE, eight years old, about five feet, two inches high, very small star in forehead, white spot, from gald, on the back, and a hole, the size of a partridge egg, at the point of the right shoulder. The above reward will be given to any one who will return him to me, or give information that will lead to his recovery. J. L. PRIDGEN,
Co. F, 16th N. C. Battalion, (Cav.,)
40-w2t* Hickford, Va.

Petersburg Express copy twice.

NORTH CAROLINA, } In Equity.
GRANVILLE COUNTY.
COURT OF PLEAS AND QUARTER SESSION.
November Term 1864.

Elizabeth Berkley,
vs.
James S. Lewis and Wife Amanda, Nancy S. Newlon and others.

Petition for Dower.

It appearing to the satisfaction of the Court, that Henry W. Berkley, one of the defendants in this case, resides beyond the limits of this State; it is therefore, on motion, ordered by the Court, that advertisement be made for six weeks successively in the Confederate, a newspaper published in the city of Raleigh, notifying the said Defendant, of the filing of this petition, and that unless he appears at the next term of this Court and answers the petition, the same will be taken pro confesso, and heard ex parte as to him.

Witness Augustine Landis, Clerk of said Court, at Oxford the first Monday of November, A. D. 1864.

A. LANDIS, C. C. C.

Dec 14, 1864. 39—6w.

THE CONFEDERATE.

WEDNESDAY, JANUARY 18, 1864.

Fort Fisher Taken.

Just before putting yesterday morning's paper to press, we were informed that official advices had just been received, stating that after a furious bombarding of Fort Fisher, the enemy attempted its capture by assault, but had been repulsed; and that there was no cause for alarm as to its safety. We retired to rest content in the belief that we should still be able to hold the Fort, and that the enemy would be again thwarted in his efforts to capture it. But we were astounded to learn, the first thing yesterday morning, that at 1 o'clock the night before, the enemy had again assaulted the Fort and succeeded in capturing it. This was the substance of the report in circulation. We did not learn anything more definite, but shall doubtless receive something more satisfactory before going to press to-night.

If it indeed prove true that this disaster has befallen us, there can be no doubt that it is a most serious and damaging blow. But instead of depressing our people, it should have the contrary effect. It should arouse every energy, power and resource in the State to meet the enemy and resist his advance upon our soil. The capture of Fort Fisher does not necessarily involve the fall of Wilmington. We have strong defences below the city, and with these well-manned and resolutely defended, Wilmington may be saved. This will depend to a great extent upon the aid that the people not in the army shall give our soldiery in the entrenchments around Wilmington. If they possess the spirit commensurate with the emergency, North Carolina will not be conquered or overrun.

It is true of us, as a Charleston cotemporary remarks of that beleaguered city, we are grievously tried. The enemy has accomplished purposes at whose announcement we laughed derisively. Schemes we and others better informed than we and far better able to judge rightly, deemed impossible of execution, have been crowned with success. He presses us on every side. The war cloud hangs black and heavy over our homes. We are menaced with the same woes under which others have been called to groan and bleed. But it does not become us to sit down and bemoan disasters and prospective evils with childish tears. Despondency at such a time as this is cowardice. We deserve no praise for valorous words and resolute spirits when the sun of prosperity was shining gloriously on our cause from a cloudless sky, nor yet when other sections at a distance were devastated by the merciless foe. Then it was easy and pleasant to utter words of cheer and sentiments of high heroic courage. It is commendable if we thus speak and thus feel at the present juncture of our affairs, when our own soil trembles beneath the tramp of embattled hosts. Such sentiments will do us honor under existing circumstances. Such sentiments are in keeping with the reputation which North Carolina soldiers bear for resolute courage, dashing gallantry, unconquerable determination, heroic endurance and sublime attachment to the cause. Let the people remember that they have this noble reputation to sustain. None worthy of the State will hesitate to give her his hearty and faithful service. If the enemy succeed, all our property and all our sacred rights will be wrested from us. Subjugation involves for us every evil it is possible to conceive of. We shall have to drink the cup of bitterest woe to the very dregs.

The Crisis and our Duty.

The enemy are again battering at the walls of Fort Fisher, and every effort will be made to retrieve the discomfiture and defeat they received on their Christmas attack.—They have doubtless come with increased force, and with a different officer in command of their land force; but with the blessing of God upon the skill and courage of our brave men there, this renewed attack will fail utterly and disastrously, as did the former. That success, coming as it did after a long series of defeats and losses, did much to inspire our people with hope and trust again, carried rejoicing from one end of the Confederacy to the other, and exerted a most happy influence upon the minds of our soldiers and people.

If we would have a repetition of victory, the people must rally to the support and assistance of our soldiery, "and girding up the loins of our minds, confront the thick coming dangers with dauntless spirit, resolving never to yield, and to do our utmost to thwart the cruel purposes of the boastful foe."

Our officers and soldiers below Wilmington have shown themselves true as steel, and it will be a crowning achivement if they shall be successful in repelling the imposing armada again brought against them. But the citizens of Wilmington and of the Eastern counties generally, must not expect them to accomplish impossibilities unaided. As this journal remarked on a former occasion, those who wish faithful representatives, must show a prompt and ready willingness to aid their endeavors, and should adhere to and confide in them. Our own people can render valuable assistance. Let them see to it that they spare no exertion; for the defence at the threshold can be more easily maintained than the defence of the habitation after the enemy has entered.

GEN. FORREST.—The editor of the Jackson *Mississippian Extra* has had a conversation with Captain William Forrest, brother of the "Wizzard of the Saddle," who states that he had dispatches from his brother of the 22d, who positively denie that there was any ground for the report of a difficulty with the General and one of his men, much less the outrageous report that he had been assassinated.

For the Confederate.

Our Slaves as Soldiers.

This question, above stated, or as Gen. Lee more properly puts it—"shall *we* use our slaves as OUR soldiers *against the Yankees*, or shall the Yankees use our slaves as soldiers *against us*"—is now fully before us and can no longer be deferred. It is full time it should be discussed. Pray let us do this in a spirit of wise moderation and intelligence, becoming so serious a question, and about which there has already been expressed, most unfortunately, such wide differences of opinion. This surely can be no question of partizanship; it can be properly only a question of *policy*, viz: will the employment of one or two hundred thousand of our blacks give us material aid in obtaining our independence and enabling us to *keep the remainder* of our negroes as our property? That, and that *only*, ought to be the question. All side issues and considerations must be ignored and laid aside, till *that question* be decided; and *when* decided, let there be no captious fault-finding with our government, either Legislative or Executive, but a cordial, heart-felt support be given to the government.

This is no time for even the most bitter partizan or more selfish politician, to be "setting up" himself; and if *he* does not know it, the *people do*, and will so show him forever hereafter. And those men who are now making themselves notorious by their violent attacks upon the government and Congress, calling them robbers, &c., &c., and denouncing our Executive and Congress for tyrannous usurpations, &c., &c., instead of creating "monuments of brass" for themselves, are in truth only digging their own graves so deep that the hand of resurrection will never reach them. What indeed can be the motives or the objects of such men, is past finding out and is incomprehensible. It cannot be *patriotism*, for that does not consist, nor is it consistent with a continued falsifying and villifying their own government. They must know that in case of our success, this opposition to measures of the government must ever hereafter consign them to the deep shade of an everlasting and well deserved ignominy; and in case of our subjugation, their very position as members of a rebel Legislature, will mark them out the more prominently, as the victims of plunder and disgrace to their Yankee masters.

But to our subject, viz: whether our negroes shall be used by *us* as soldiers, or by the enemy as soldiers AGAINST us; for that wise, cautious and great General, Robert E Lee, has most correctly told us, that if *we* do not so use them, our *enemies* surely will, as they have done. To a plain man, exercising a plain common sense, there can be no doubt about it, that *every* consideration of safety, of propriety and success demands it. It has been and is the great dread and fear of Lincoln and his Cabinet. *They* well know the immense and immediate increase of power it will give us, and have feared it from the beginning. It would at once check and destroy their overweening confidence that "the rebellion was about to be crushed forever," when they saw a sudden increase of our armies by 100,000 men, fighting with far more of interest and spirit in our cause, than their negroes who have to be urged to the *front* by bayonets in the *rear*; or even by their mob of gross, brutal and ignorant Germans and Irish, most of whom have been *drugged into their armies*.

There can be no reasonable doubt, but that our negroes, fighting by the side of their masters, whom they have been long accustomed implicitly to obey, and surrounded by white troops who they know will compel discipline and obedience under penalty of being shot at once, will prove a far better character of soldiers than most of the hordes that are brought against us.

Slaves have, in fact, been used as soldiers in all ages and in all countries where slavery existed. The Greeks and the Romans employed them as important and valuable auxilliaries, and where do we find more useful soldiers than this day in the Russian serfs, whose slavery is far worse than ours? If the Yankees continue to use them, as we know they do, in spite of their being obliged to force them to fight, it can only be because they find them serviceable, we surely with all our advantages, find them even more serviceable.

Now let us examine the objections alleged by *some*, against the use of this most important item of our defence against our inhuman enemy, who would and have deprived us of all our slaves, as far as they have occupied our country: The first, and really as far as I can judge, the only plausible one, is, that instead of fighting for *us*, they will desert to the enemy in the hour of extremity, unless we pledge them their liberty after the war. This objection, I think I have shown above, is not founded on truth, and certainly is not in our experience. Look at the thousands who have had every chance of escape and *with safety*, of those who have followed their masters to the war, or who have been employed as teamsters, cooks, &c., &c. How wonderfully few have deserted! It is true that it left to the seductions and lies of the Yankee, many have left their plantations to go over to the enemy, but most of them have been forced to do so by one means or another. But surrounded by white troops and under the eye of those whom they have been accustomed to obey, and where there is no chance of escape, the case would be very different. Not half so many negroes have left us, as Germans and Irish deserters have come over to us, and negroes also. We all know that there are tens of thousands in the Yankee service who serve most unwillingly; but, in no case have they come over to us in bodies in the day of battle; nor need we fear this on the part of our negroes. To prevent their escape privately, it may be necessary to employ unusual vigilance and severe punishment. As to giving our negro soldiers their liberty, after the war, as a *reward*, it can only be the idea of a visionary and thoughtless enthusiast. If we are honest in saying as we do, and believing as all do, all who understand the negro character, that he is better off in slavery than in being compelled to look out and care for himself, then we are repaying a service by a *wrong*—no, it would be a *criminal folly* to do this. He can be rewarded, and in a mode far more congenial to his tastes and conducing far more to his happiness. He can be allowed by law a ration of tobacco, sugar and whiskey, for life; he can be furnished with a suitable ornamental suit of extra clothing once a year; will have by law every Saturday in the year for his own time, with hospitals for the maimed, all to be distributed under the superintendence of his master, or in many other ways. But to give him liberty, that useless thing *to him*, would be to raise the class of free negroes in our country to a power that would be dangerous—a class we have been for years trying to get rid of. But this is a question exclusively for State action. I cannot think they will be guilty of such folly, and I will treat of it no longer. It is not to be thought of for a moment.

Another objection alleged by some timid men is, that after having borne arms, the negro can never be afterwards made to return to his labors. This is nothing more or less than a downright mistake. What is there in the habit of strict discipline to unfit him for continuing in that discipline so necessary to all well regulated plantations? What is there in the habit of quick and thorough obedience to military orders, to induce a disobedience or unwillingness in obeying the orders of a master? What is there in the habits of cleanliness and carefulness of the soldiers to injure the worth of a negro on the plantation? I have been bred a military man from my earliest youth. I am the owner of one of the largest bodies of negroes in the country, and I would, as a matter of *policy*, have all my negroes brought up in habits of military discipline and order, and would consider them more manageable and more valuable. No! there can be no reasonable doubt as to the decision on the question, whether *we* shall use the negroes as soldiers against the Yankee negroes and soldiers, or whether by our folly and hesitation they shall use them as soldiers against us. Whether we shall use this great element of defence, or whether we shall *offer it* to the Yankees? Therefore let Congress at once pass the necessary measures; let the Legislatures of the Confederate States take such action as will be an earnest and faithful support of Congress. Let full 100,000 men be sent to the various camps of instruction as soon as practicable; let them be put under drill and discipline forthwith, and we shall be able in the early spring to place under that great master, Gen. R. E. Lee, 100,000 strong, able-bodied men, to serve in our noble cause—ourselves and themselves in preserving them from the brutal Yankees, who, by their course will exterminate them and us; who rob the poor negro, as soon as the rich owner.

The coming spring is to be the crisis of this war. If Grant, by dint of overwhelming numbers, even of *negroes* and mobs; is able to drive Lee before him, he turns these negroes and mobs loose upon the no longer defended cities of Richmond and Petersburg, to plunder and destroy with a barbarous licentiousness only equalled by the former conduct and examples of his myrmidons. The whole country round about will become the prey of his troops, and the very negroes whose presence under General Lee would have defeated him, would be absorbed and taken to increase his already bloated army. On the other hand, General Lee, with the addition of 100,000 able-bodied troops, fairly disciplined, will be able to defeat all Grant's purposes and roll back the tide of war, and finally bring the North to a knowledge of the fact that we are not to be subjugated by all the powers he can bring to bear, but are ready to make any and all sacrifices to protect ourselves in independence of her hateful tyranny and despotism. Then really will the cloud of blindness which our own timidity and want of unity has so strongly brought on them, disappear, and peace at last come to our unhappy country.

As to the point whether owners of slaves killed in battle, or otherwise lost, should be remunerated, it is but a minor consideration. Let Congress settle all those matters. It would certainly serve to make the measure more popular with the lovers of money; but surely we, who give our sons to the country, our own flesh and blood, and do not require to be paid for its shedding, can, with little conscience, refuse our property.

H. K B,
A North Carolina Farmer.

HEADQUARTERS CONFEDERATE POINT,
Ft. Fisher, Jan. 7th 1865.

Gov. Z. B. Vance, Raleigh N. C.:

DEAR GOVERNOR—I send by Mr. W. J. Palmer, the battle flag which floated over the "Mound" on the 24th and 25th December 1864. The following official report will associate a gallant North Carolina boy with the flag:

* * * * * * *

The staff on the Mound being unprovided with halyards, the battle flag had not been raised when the garrison flag was shot away. The order was immediately given to raise the flag, when private Christopher C. Bland, Co. I, 36th N. C. Regiment volunteered and grabbing the staff under a heavy fire fastened the flag. At once a terrific fire was poured on the Mound and one end of the flag requiring to be fastened, Bland repeated the heroic deed, and unscathed by the fearful ordeal fastens the flag firmly to the staff, where it now floats, although torn and rent by fragments of shell.

The Mound is the right flank work. After having the battle flag raised, I went to the left flank work of the fort, which commands the causeway into the fort on the river side, 2 681 yards from the Mound, and raised a battle flag on the parapet. I missed the flag at dawn Monday morning, and on enquiring learnt that not long before dark on Sunday the staff was carried away by an enfilading shot which together with the wind carried the flag over the palisades and some distance from the work into the marsh, and within the enemy's skirmish line. Maj. Gen Butler reports officially that one of his men brought away this flag from the parapet. I know that Admiral Porter deserves the credit of taking it from the parapet, and as he did so little with his noisy fleet I think he should not be robbed of the honor.

Your friend, WM. LAMB, Col.

Sinking of the Albemarle.

The following is the finding of the Naval Court of Inquiry:

Finding of a Naval Court of Inquiry held at Wilmington, N. C., on Wednesday, December 7th, 1864, to enquire into the facts connected with the sinking of the Confederate steamer Albemarle lying off Plymouth, N. C., on or about the 28th of October, 1864, by a Yankee Topedo Boat:

Finding.—We find the discipline on board the Albemarle was good, and that every reasonable precaution was taken to prevent surprise; that obstructions were placed around the vessel; consisting of logs fastened together by chains and ropes, and secured with anchors sufficiently secure and formidable, to resist any anticipated mode of attack; that efficient picket boats were stationed above and below, but they were not on the alert; that the men stationed at the field pieces at the bow and stern of the boat belonged to the army, and we have no means of ascertaining whether they were allowed to be absent from the guns or not; that the loss of the Albemarle is not to be attributed to negligence or inattention, or want of good example shown by every one on board, and that she was fought to the best advantage.

Approved: Let Lieutenant Comd'g Warley be so informed and furnished with a copy of the finding of the Court.

(Signed) S. R MALLORY,
Secretary of the Navy.

A true copy of the record;

(Signed) S. S. LEE.
Captain in Charge of Office of Orders and Details, C. S. Navy Department.
Richmond, Va., Jan. 2, 1865.

Newspaper strictures do not change the opinion of the President, while they do have a depressing effect on the people.

Statement

Of Col. L. M. Lewis, Seventh Missouri Infantry, C. S. Army, for more than fourteen months a prisoner in the hands of the Federals.

I was captured at Helena, Arkansas, July 4th, 1863, and was taken thence to Alton, Illinois, and was confined in the penitentiary in that place, which had been condemned by the State government as unfit for the confinement of felons, on account of the fatality of disease prevailing within its damp and dingy walls. I forget at this time the date of my arrival at that infamous and disgusting place.

A wall from fifteen to sixteen feet high, encloses two acres, in which confined and cramped limits were located the *sinks*, *dead house* and *hospital*. Twenty-five hundred Confederate prisoners were crowded into this "black hole" at the time I was there. Small pox was raging with a fury amounting to a plague, and dozens of my poor fellow-sufferers died daily from the pestilence. Two small sinks were for the accommodation of that dense mass in the extreme warm weather prevailing during the months of July and August. We could scarcely live for the stench that arose from the sinks and small pox hospital, in connection with the sewers, that were never cleaned, and in which the filth from the washing and cooking and waste fragments of bread and meat were allowed to lie and decompose under broiling July and August suns. This sewer circumvented the hospital building, adding its nausea to the overtaxed emaciated patients that were withering under an amount of suffering incomprehensible to any but those who had seen the plague in its decimating work in London.

So terrible was the effluvia arising within these walls that, at times, it was scarcely possible for the well men to obtain the required quantity of oxygen to support life. I was told by one of the first gentlemen of our number, and who stood eminent as a physician in Missouri, that when a healthy plant from the outside was brought within the enclosure, it almost instantly withered. The hospital that contained the patients suffering from other diseases, than the above named, was situated near that of the small pox, and, very often, many men having the worst form of small pox, were allowed to remain for days in the same room, and this infected the others. It was with the utmost difficulty that a friend could get permission to visit the hospital to attend to the wants of his fellow, and thus poor men lay in their pain, with their beds begrimmed with dirt, stinking and rotten with corruption and devoured by disgusting vermin; and though requested, for the sake of humanity, by our own surgeons, to remove the sick to some place where they could be better provided for, or, at least, remove the small pox patients out of the hospital, it was throughout persistently refused.

Once poor, brave boy was dying, who had stood many a hardship in the army and breasted the charges of many a battle field for his country and home, and wished that some religious man might be admitted to his dying bed, and teach him how to find rest in God, ere his spirit took its flight, and hear some last dying message to those he loved at home. His request was most flatly and profanely denied by the brute in command in these words, as well as I can recollect: "*Let the d—d scoundrel and rebel die; he deserves no better fate.*"

The water was brackish, and strongly impregnated with scrapings from the prison yard.

The privates were fed upon convict's rations; a cup of soup, a piece of dry bread and a miserable apology for coffee, with a small piece of meat. Many of our poor fellows were half starved, and it was, indeed, heartrending to hear them beg for the scraps that fell from the officers' table. I thought it required more fortitude to endure such confinement than to undergo again all past sufferings in the army twice told.

No religious services were allowed, except when whim or fancy prompted these mediuls. I preached once, at the request of many of the prisoners, after obtaining the consent of the provost marshal, and was afterwards informed that they become very much incensed, because I gave out to be sung the hymn commencing:

On Jordan's stormy banks I stand,
And cast a wishful eye," &c.

They supposing that I selected it because we stood upon the bank of the Mississippi, and could now and then see through the bars of our cells our own loved Missouri. Such is Yankee humanity, and religion at least, as I saw it in Alton penitentiary.

I have seen the men knocked down and cuffed about by those plumed officials, whilst a line of bayonets were drawn up around them, till my very blood boiled for vengeance, and many a breast swore to have it when opportunity presented itself.

We were there during that glorious period when such disasters as the fall of Helena, Port Hudson, Vicksburg and Gettysburg befel our arms and made every inmate of that prison sad, but not doubtful, although surrounded by those Yankee menials, elated with pride, arrogant beyond expression, a body of the vilest soldiery that ever bore an arm. We were taunted, cursed and abused with all the most despicable epithets that could be uttered by polluted lips, and constantly assured that as soon as the rebel States were subjugated, we, with all the vile traitors in this war, should share a traitor's doom. If you hummed or whistled "Bonnie Blue Flag" or "Dixie," you were instantly fired upon, or, with a horrid oath, ordered to go to your quarters—So accustomed had the men become to singing these ditties in the camp, that every one almost was in constant terror lest inadvertently he should indulge in this pastime, and thus forfeit his life. Hired menials were constantly on our track, under the guise of being convicts, to spy out the words and actions of the prisoners. Soon we discovered that almost our thoughts were known outside, and we became suspicious of one another, unless we were well acquainted before. Thus men were often locked up in loathsome cells without knowing the cause of their confinement, and made to spend days and nights upon the hard, rock floor of the prison without a solitary thing to protect them from the damp.

You, who never have felt this fate, be temperate in your condemnation of the poor private, who, after he has been taxed to the utmost of his endurance, at last takes the oath, and seeks a retreat from his sufferings, in many cases, only to escape from prison, that he may find opportunity to wreak his vengeance on the authors of his misery, thus becoming a *desperado*.

I was informed by reliable gentlemen, that time and again, poison had been administered to the sick; whether through mistake or on purpose, they did not know. If by mistake, it was criminal beyond palliation; if on purpose it was simply hellish. I know *this* however, that so great was the dread on this subject, that many of our men would suffer on and *die* rather than consent to take their drugs—My poor little orderly, one of the best boys I ever knew, the son of a widow, died of small pox, and so great were his apprehensions on this subject, that we could never prevail on him to take medicine.

The rats were absolutely so thick, that after night-fall, we could scarcely put our feet down without crushing them. They ran over the men, on their blankets, squealed in their ears and annoyed them almost beyond endurance.

For a long time the dead-house was directly under one of the rooms in which the men slept and sat in the day. Thus they would put a corpse in this house, that died of small pox, and it would remain there during the hot weather, for three or four days at a time; and so great would be the stench arising from the decomposed and gangrened body that it stifled the inmates of the room above—only a plank floor intervening—and drove them into the yard. And when removed out for a more welcome, it would be so eaten by rats, and decomposed by decay as to be entirely beyond the power of recognition, and so disgusting that men would faint from handling it. It is known by many who were there, that even one miserable apology for a coffin was brought back into the prison no less than ten times to accommodate corpses, for it was secretly marked, and afterwards recognized. A few instances of native brutality will suffice to show the barbarity of the creatures who executed their ministers' commands:

One day as I was standing on the steps of my door in front of my room, a guard or relief was passing, (or guards were not only stationed around, but amongst us,) as the men were crowded up to the door of the dining room for their morsel of dry bread, tough beef and poor soup. As soon as they saw the relief approach they divided to allow them to pass; but it was not done quick enough for these fiends, and one of them drew back his gun and struck several men over the head, felling them to the ground, and cursing them in the most bitter manner, and saying, "That is the way I serve damned rebels this time; next time I will blow your damned brains out." This, too, to men whom I knew as men of wealth and influence at home, and sons of wealthy parents, nobler men than whom never lived. I pressed my bearing heart, and prayed for ——, I dare not say what.

On another occasion, as a man was sitting in the yard, leaning against the wall, writing to his loved ones at home, some armed ruffians passed by; he looked, when one of them, with a blasphemous oath, ordered him not to look at him or he would put a bullet through him. The man, astounded and confused, still continued to look at the demon, when he deliberately executed his threat, and the poor fellow rolled over heavily, a corpse, weltering in his blood. They passed on, the man was buried, and no more was ever heard of it except amongst the prisoners, and the fellow who committed the deed was allowed to go unpunished, and I know not but that he was promoted for his gallant deed—for many of my fellow prisoners can testify that at Johnson's Island a private was promoted for ruthlessly murdering a Confederate officer who was doing nothing but passing from the sink to his block, and, because he did not halt at the order of the sentinel, was shot.

Another officer was sitting at the window of his room looking out upon the prison yard; and because he did not obey instantly the careless command of an arrogant Yankee private to take in his head, was deliberately shot.

But why enumerate these revolting scenes, or register further the catalogue of dark and damnable crimes committed at Alton penitentiary? Already the hearts grows sick over the relation of such devilish deeds. They would be crimes in a Soloque or Mahomet li; but history will have to record the fact that the acme of cruelty and oppression has been reached in America, in the nineteenth century, in the monarchy of Abraham Lincoln the First.

Captain Melton, of Tennessee, who was a prisoner at Alton for more than two years, and who escaped successfully during my detention there, was the recipient of some of the most cruel tortures and punishments ever known—the dark ages with their torture rooms furnish scarcely a parallel—only because he would reply when, forcing themselves into the society of prisoners, they would use all manner of abuse both of our beloved government, rendered doubly dear to us by our imprisonment, and of our leaders. He was thrust, hand cuffed and manacled, into a loathsome cell, and kept there for months, to break his spirit, they said; and during that period, though worn and emaciated and sick, they would not allow him the privilege of the yard. Thus they confined him in a little room that a man could stand in the middle of and, by stretching out his arms, could almost touch either side, and there he was compelled to remain, while the miserable bucket, which was used for the calls of nature, full of filth, stood for days, stifling him almost to suffocation. Nor was he removed till life was almost extinct, and after long protracted debility, he recovered slowly, and with difficulty.

Some four or five ladies were confined here as prisoners, and their room was adjacent to, and on the same floor with, the dead house; and, in addition to the stench from the dead house and other causes, they were constantly imposed upon by the Yankee officers trespassing upon their privacy. These ladies were of good families from the South.

The commandant of the prison was one Major Hendricks, U. S. A., who passed through the Mexican war without a *brevet*, and was considered unworthy of trust upon the battle field by his master, Abe Lincoln, and placed, like others of his stamp, in commands removed from danger, and affording opportunity for tyranny. He was a dyspeptic, and, soured by his disease and for years of outbreak by the prisoners, he did everything that a devilish disposition could invent to oppress and annoy them. He with his assistants and other menials, embezzled more than half of the money sent to the prisoners by friends. Hundreds can testify to all the facts stated above.

I might add here that every device has been cheerfully entered into by the Yankee officials in the West to reduce the people to the vassalage of Lincoln. Time and again wives and daughters and sisters have been kept for months away from their homes, and at Lexington, Missouri, were compelled to wash the filthy clothes for their soldiers; yet undying hostility still burns in their breasts, and their avengers have sought restitution in the tragedies of Lawrence, and other places on Northern soil.

Just prior to the sacking of Lawrence, thirty ladies were confined in an old, rickety building at Kansas City, Missouri, and the bottle fell on its inmates, killing or maiming for life twenty-eight out of the thirty. Yet what a fearful yell arose over the acts of Quantrell.

At the time of my confinement at Alton, the 77th Ohio infantry guarded that prison. It will be remembered by many that this regiment was disgraced by public orders issued from General Buell's headquarters for cowardly and dasterdly conduct on the battle-field of Shiloh. Running at the assault of our men, they plunged into the river and made good their escape, and one of this regiment avers that a Lieut. Moord who was Provost Marshal of this prison, only six miles. Such men, soldiers of the Confederate army, are put as guards to prisoners. Who, chagrined at their own want of courage to meet men in open, fair combat, take special delight in maltreating prisoners who are consigned to their charge.

Many of my fellow prisoners will remember that during the winter of 1863 '64, the Chicago *Times* was full of expositions of cruelty practiced on our men at Camp Douglas, four and five shot per day, and, as the editor stated, "for nothing." By reference to the files of that paper, during the time above stated, one can find an exposition of conduct seldom equalled, never surpassed.

Perhaps it would not be amiss to state here, some of the acts of cruelty perpetrated in my own State. In July, 1863, General Blunman ordered Colonel Cockrell and myself, with seven hundred men, to penetrate the State of Missouri as far as possible, for the purpose of obtaining recruits and munitions of war, and to strike the Federals a blow whenever we could do so with prudence. In obedience to that order, we advanced to within thirty miles of the Missouri river, (starting from the Arkansas river, it will be seen, by looking upon the map, that this comprises a distance of over three hundred miles in a straight line.) On that trip we met enemies after striking the Southern line of Missouri. I did not see a hog, cow, ox or mule, and only now and then a house, though we travelled through what was once a thickly populated and wealthy country. Town after town we found in ashes, and the entire country a waste. Several officers of my regiment lived in this section; their fathers have been murdered in cold blood, and their female relatives outraged and insulted. One of these old men, so decrepid from age and disease that he could scarcely walk twenty steps, and entirely incompetent of doing harm to their party, was ruthlessly murdered by his own fireside.

A son of another officer of the Confederate army, a little boy about six years old, was thrown into the Missouri river and drowned.

Several young ladies of my neighborhood have had their clothes set fire to whilst in them, and one of them was saved from a horrible death only by the interference of a faithful negress, who threw her down upon the floor and extinguished the flames.

Robert Stuart, who was high in favor with the Lincoln government, made a speech to his men, telling them to go and burn the houses of the damned rebels and ravish their wives and daughters, and bring their husbands and fathers out of the brush.

A fellow by the name of "Moonlight," and bearing the title of Lieutenant Colonel in the United States army, took a young man, who lives at Osceola, Missouri, and because he would not tell him where he had concealed his gold, compelled him to dig his own grave and had him deliberately shot on its brink.

A lady, whose husband I know well, was compelled in 1862, to quit her house at midnight with her little children, in their night clothes, and when the snow was not less than six inches deep; and when she begged that she might be permitted to take some clothing for her little ones, to prevent them from freezing till she could get to a neighbor's house, was refused, and told that if any one took her into their houses they would burn it and murder them. After robbing her house of all they could take off, they set fire to it, and she was driven away by its light, with no one to care for her or little ones, her husband being in the army.

There was a flourishing and happy neighborhood in Jackson county, Mo., where the people were wealthy and ever so happy till the marauders came there. They burned every house, among them two churches—one a Methodist church, the other a Presbyterian—which had been built by the piety and liberality of these people. When these demons were passing, one said, "This is old God Almighty's property, he is a d—n secessionist, and against us; let's burn them," and suiting the action to the words so blasphemously uttered, there soon in flames and destroyed.

You who read this will excuse me for repeating such blasphemous language, for I feel an apology is due; but I know no other way of conveying the facts and details in order that you may have a correct view of the character of those who hope one day to be our masters. May God grant every dear Southron, whether man, woman or child, a hospitable grave rather than such a fate—I do not wish to kindle vengeance in the hearts of my people, for "vengeance is mine; I will repay, saith the Lord;" but I desire that every man who stands with me in this contest for freedom may understand who he fights, and for what he contends. Though from a State long since overrun and humiliated, I still cherish the bright hope that independence will be ours, and regardless of results, I am wedded for life to our noble cause. My imprisonment has only strengthened these resolves in the breasts of myself and fellow-exiles. The wonder to me now is that we were ever contented to live under the same government with them. Most Butler is but a type of his kith and kin. From some of their officers I received kind and gentlemanly treatment, whom I wish long to remember, though they be enemies; yet the far greater portion have not the least kindly feeling for a Southern man. They do not want us to submit if they can raise force enough to crush us; they thank no man in the South to endorse their cause if they can possibly do without him. They look to extermination as a seizure of Southern estates and appropriation of them to their hordes of speculators. A reunion with us as a people is the least thing hoped for or desired in Black Republican circles.

One more scene will close these papers.—Major Mitchell, my Commissary, was compelled to leave his wife and child in Missouri, with an old man, who took charge of his farm. Major Foster of the Federal army, sent a detachment of his ruffians to his house, and, in the presence of the terrified and screaming family, murdered him, and left his body to be interred by them as best they could. This man Foster was one night walking down one of the streets of Warrensburg, Johnson county Missouri; in passing the house of a southern man, he saw him sitting with his wife beside the fire; he (Foster) drew a heavy pistol, and, firing through the window, killed the man. So great were the tyrannies practiced by this brute, that even the Union men that county demanded his removal, asserting that he was doing more to prejudice the Union to the Federal Government than all the secessionists combined.

In conclusion, I have only to say that I am prepared to prove every statement contained in these papers by the very best authority. I am sorry I am compelled to record such acts against men, but it only proves that the teachings of Abolitionism, which is only another name for Infidelity, will produce the same results in all ages and among any people.

(Signed) L. M. Lewis,
Colonel 7th Mo. Infantry.

ADVERSITY.—Affliction is the good man's shining scene; prosperity conceals his brightest rays; as night to stars, whose lustre gives men.

THE CONFEDERATE.

WEDNESDAY, JANUARY 13, 1865.

When the Constitution of the Confederate States vested in Congress the power "To declare war; to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for the calling forth of the militia; and for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; and to make all laws which may be necessary and proper for carrying into execution all the foregoing powers, and all other powers vested by this Constitution in the Government of the Confederate States, or in any department or officer thereof."

And when it further gave power to Congress to suspend the privilege of the writ of *habeas corpus* "in cases of rebellion or invasion when the public safety may require it, and further gave authority to the President, whom it had made commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States when called into the actual service of the Confederate States, by and with the advice and consent of the Senate, to make treaties, and forbade the States to enter into any treaty, alliance or confederation, to enter into any agreement or compact with another State or with a foreign power;" it clothed the central government with a panoply of power deemed to be sufficient for all offensive or defensive measures which might become necessary to maintain the honor, assert the rights and defend the interests and liberties of the nation and people.

These powers, so explicit and so comprehensive, were self-imposed, by the representatives of the States themselves, in the most solemn form, by organic enactment; being an act of self-abnegation by the States of certain sovereign qualities and their delegation to a chosen representative.

By virtue of these powers, it is clear that Congress may, after having declared war, employ *all* the resources of the nation to carry it on. It may conscribe the citizens and enrol them in the Confederate service, whether as regular troops or as militia, as to it may appear fit. The only exception being, perhaps, that it is not contemplated that such constitutional officers of any State shall be taken, by whose conscription the State government would be hindered in its administration. It is further clear that no State has any right or exempt from service, except for the absolute necessity of carrying on its own government, any person or persons who may be liable to conscription by the Confederate Congress. And in order to guard against the possibility of this authority being weakened or obstructed, the privilege of the *habeas corpus* may be suspended, when by rebellion or invasion the public safety requires it. If Congress then were to pass a law of conscription, securing to the military service all the able-bodied strength of the nation, and were to prescribe through what Departments the rules and regulations for the government of the army and navy should be enforced, and should call forth the militia and organize, arm and discipline and employ it in the service of the Confederate States, and should suspend the privilege of the *habeas corpus* writ during the invasion, it would unquestionably exercise only its constitutional powers; it would perform the functions prescribed for it in the organic law, and would be in the line of legitimate, rightful authority. There would and could be no oppression, tyranny or even injustice in its conduct, all of which has been thoroughly settled by judicial decisions.

To assert that there would be, is simply to accuse the States of having formally and deliberately created a despotism over their own heads, and over their citizens, by their ratification of the National Constitution. Since Congress possesses the power thus to use the citizen, and by another clause of the Constitution to take his property (on just compensation) for the public use, broadly, and amply; and completely as the Constitution allows—whether it will exercise it, is not to be discussed as a question of right, but as one of expediency. No citizen who is law-abiding, and has regard for his country and the allegiance which he bears towards it, could for a moment himself resist or hinder the exercise of these powers, or advocate such resistance in others, and if he be a public officer, he must forswear himself if he do so.

Inasmuch as these powers have been adopted in the Central Government in so formal and, solemn a shape, having been engrafted into the organic law, and subsequently ratified by the sovereign States, it is manifest that they were deemed to be necessary powers, for the exercise of which, occasion might arise. Indeed, surrendering as they do so much of the natural individual rights of the citizen, it must be taken for granted that they would never have been bestowed, except they were essential to the formation of a stable and capable government. These powers constitute the highest attributes of sovereignty, being inherent in other governments as the *paramount authority*, and made so in *ours* by organic investment.

It having been established that these powers are granted, and in contemplation of their exercise, and in contemplation of a necessity where their exercise might become imperative, the next question is, under what circumstances is their exercise most justifiable?—What doubt there may be in any moral mind as to the propriety of making an offensive war, there can never be a question in morals or ethics of the right of self defence. If there would ever be a time when *all the sovereignty* should display itself in the plenitude of power, it would be in the event it should be assailed and invaded by a foreign power, and threatened in its existence. If this be a general rule, worthy of adoption, how aptly and fully does our situation fall within its examples? We are invaded by a powerful foe; and for the express purpose of destroying our Government, and coercing us into another form of Government, with a different association. The invading armies are occupying our territory, besieging our cities, laying waste our territory, consuming our property, blockading our ports and imprisoning and murdering our people, and conscripting others to fill the ranks of their armies, still further to devastate and subjugate us. At the same time that our national, social and individual safety are all thus imperiled from foreign invasion, division, dissension, prompted by ill-timed and injudicious interference with Government authority, are enervating our strength and making us a more easy prey to our enemies. If this be not an emergency to call forth the energies of the Government—if this situation do not demand the assumption of the sovereign authority—then it is impossible to conceive that any emergency or any situation can ever invoke it.

We propose next to show the advantages to arise to the people from strong measures.

A Sister's Shame.

We copy to day from the *Constitutionalist* the proceedings of a meeting held in Savannah, presided over by the Mayor of the city, Dr. Arnold.

The action of the meeting formally dissolves all connection between the city and the Confederacy, and burying the head of secession in sack cloth and ashes, they sue at the feet of infamy for a niche in the temple of disgrace. We blush for Savannah, and as much as we execrate the conduct of the people, we pity them. The fair fame of the Forest city is tarnished by the disreputable conduct of, what we cannot but believe to be the smallest portion of her citizens. They have looked down the black vista of ruin and desolation which Sherman left behind him in his march through the heart of the Empire State to their city; they have had the record of the past, written in blood from the glory halo'd field of Manassas to the not less memorable but fatal one of Franklin—they can look upon the bleaching bones of thousands of heroes who have died for their country—and yet are willing to throttle the voice that comes from these bloody fields to bid us fight on, and say to miserable tyrants who have worked the ruin of our country, and murdered our best citizens, "take us back, we will be one with you!" Oh, shame, shame upon the perfidy; away with the ignominy. We believe Savannah will yet be disenthralled, and then she will spew from her mouth the impious wretches who would sell her honor to him who knows not honor. The men who would sell their country in such an hour as this, would sell their souls for a consideration in dollars and cents—would sell their Lord for less than thirty pieces of silver.

The foregoing from the Augusta *Daily Register*, speaks in bitter terms of the action taken by certain citizens of Savannah who, in a public meeting held upon the call of the Mayor, have formally renounced their allegiance to the Confederacy and, in the language of their resolution "seek to have peace by laying down our (their) arms and submitting to the national authorities," claiming "the immunities and privileges contained in the proclamation of the President of the United States." This is the end to which we have expected *all* unwarrantable *peace negotiations*, to come; this the terminus of "State sovereignty and separate State action," as harped upon by their especial champions. What we have heretofore said of Georgia in connection with Sherman's successful march through her territory, was not intended to add a pang to the sensibilities of any loyal son of hers. We intended to attribute the fault of that great calamity to those who have subdued the spirit of Georgia patriotism, or weakened it by disaffection. And the truth of what we said is now more apparent; and we fear that not in Savannah alone are there to be found numbers who are ready to make the same tame and shameful submission. But these men in Savannah, whoever they may be, are fixing their own lot, but by no means settling the destiny of the Confederacy.

But this should be an admonition to Congress for action—prompt, vigorous action—worthy of a Government possessed of sovereignty and holding in charge the vital interests of a multitude of people. Let it call into requisition the military strength, employ *all* the means that our enemies use for assailing us, in order to resist them—and Sherman will be brought to grief, and the cowardly conduct of the submissionists in Savannah will recoil on their heads with such terrible force, that never again will there be found others willing to follow their example.

It is announced in Northern papers that arrangements will soon be made for exchanging all prisoners on both sides. Our government has always been ready and willing to make any fair arrangement for a general exchange, and it is hoped the northern government will now agree to terms.

7TH N. C. REGIMENT.—Lt. Col. Wm. Lee Davidson has been promoted to the Colonelcy of this Regiment in place of Col. E. G. Haywood, retired. J. McLeod Turner is promoted to Lieut. Colonel, and Jas. G. Harris Major of the same Regiment.

The Columbus *Times*, speaking of the proposition for an alliance with England or France, says: "We would rather go to the devil than back to the Yankees."

There is no alternative in that proposition; for "things which are equal to the same thing, are equal to one another."

The officers and men of the 6th N. C. Regiment (commanded by Col. Saml McD. Tate) have contributed $585 for the relief of soldiers' families in this State. The amount has been placed in the hands of Gov. Vance. What a patriotic example these brave men set—they give of their small means to help the cause, while enduring the hardships of the field. Such men can't be subjugated.

In Georgia, there are unequivocal calls for a Convention of the State. All sides concur in the call, as far as we can see. There are unquestionably cowards and traitors in that State, whose whole purpose, under cover of *peace negotiations*, has been, first to detach the affections and confidence of the people from the cause, in order the more securely to turn them over to Sherman or whatever Yankee master may be delegated to receive them. This class has just shown its hand in Savannah, and its colleagues taking advantage of the present reverses to our arms, are emboldened throughout the State of Georgia to follow their lead. We are glad of it; and only hope that they may be induced to *say out all they mean*. The *now* almost undisguised Yankee who edits the *Chronicle and Sentinel* (Gov. Brown's organ) is at last assuming a definite position. We beg *that he may have rope, by all means.*

There is a second class—tired, gloomy, despondent, heart-sick croakers—who are *afeared* that they will have to *go in*—and rather than *go in*, to an honorable post, along side the brave, true-hearted soldiers, they are anxious to *go out* of the Confederacy, and *go under* Lincoln—*whipped*—without ever having seen a fight.

But there is a third class, who are also willing *now* to endure the agitation of a convention, because they are bold and hardy and determined in the cause, and they have confidence that so far from Georgia playing false, in a Convention, they feel sure that her patriotism will be most thoroughly demonstrated. Therefore, says the *Constitutionalist*, let "Gov. Brown recommend to the Legislature about to meet, to pass a bill calling a sovereign convention; and we (it) trust the Legislature will pass the bill at once." This sterling paper wants it to be known where Georgia stands. It has entire confidence in the stability of her devotion to the cause. It is a dangerous agitation, and may lead to dread consequences. But we hope our patriotic contemporary may be right, and that Georgia may come out of the ordeal as gold purified by fire.

We publish entire from the "North Carolinian," of Wilmington, an article on the "conscription of negroes." Without concurring entirely in the sentiments therein contained, there is much to commend it to the public.

Since the attest of our military leaders from two points of observation has declared in favor of the employment of negro soldiers, the spirit of the press is very properly conforming to this standard authority. Of the right, we never doubted; of the expediency we are now convinced. If the Southern negro be appealed to, with the proper moral inducements to enlist his sympathies, we doubt not either his capacity, or his willingness, or his fidelity; and with this element of strength, our independence is certain. The soldiers are almost unanimous in favor of it. They need reinforcements, and *their wishes* ought to be a controlling influence.

No News.

There is just now an oppressive dearth of news—there are even few rumors afloat.—With the authorities, press, people and armies, there seems to be a general pause, taking our bearings and ascertaining our true position and danger. And while our position may be admitted to be critical, and our danger greater than we could wish, yet the one is far better, and the latter far less than a great many imagine.

The Congress, the press and the people are calmly engaged in the discussion of important measures, which it is hoped will extricate the country from its present difficulties. The great topic of putting slaves in the army as soldiers, is now being very generally discussed. We have given the views of several correspondents on the subject, as well as our own and shall publish to-morrow an article from a large slaveholder in this State, favoring the proposition. We hope to hear from others. The best intellects of the country should come forward and give the country the benefit of their views. No more important question has agitated the public mind during the war.

Other weighty and all-important measures are being considered, and the present may be the turning point in the contest. "A mis-tap, or an oversight, may lose us our cause, while wise measures, promptly adopted, and executed with energy, may bring the war to a speedy conclusion, resulting in our independence."

A cotemporary says—so long as the spirit of our people is unsubdued—conquest, subjugation is impossible. And so it is. Let States be overrun; let property be destroyed; let lands be devasted; let our slaves be stolen by hundreds and thousands; let houses, towns and cities be given to the flames; yet if *the spirit* of the people be unsubdued, they are unconquerable, and they will at last wrench glorious victory from the dastard foe and reap the reward of all their toils, privations and sufferings—Independence, with its inestimable blessings.

Change of Schedule.

The following is the Schedule on the North Carolina Railroad. Accommodation train from Charlotte arrives at Raleigh at 11:55, p. m. The mail train from Goldsboro', arrives at 11:40, p. m., and leaves at 12, p. m. Mail train from Charlotte arrives at 11, a. m., and leaves at 11:30, a. m. The accommodation train leaves Raleigh, at 1, p. m.

The mail train on the Raleigh and Gaston road will hereafter leave Raleigh at 11:30, a. m., and arrive 12:35, p. m.

Reverses are but the mists which obscure but do not darken the sun. There can be no halting, no thought of submission. The Confederacy is to-day stronger, its resources greater, the pride of its people more exalted, their courage more obstinate, and they are more fully conscious of the danger of defeat and the evils of subjugation than at any former period of the war. They are more thoroughly familiarised with the infernal spirit which actuates our foes, and with the abject degradation to which we would be reduced in the event of the overthrow of our cause. They know they have no alternative; that full, complete, unqualified independence, or the slavish submission of a conquered people, having no will of their own and knowing no law but that of their captors, must be theirs. They are prepared to sacrifice but not to submit. To surrender all but independence and honor, but no compromise of them.

For the Confederate.

Arming the Slaves.

The question of impressing and arming the slaves for military defence, is one of great magnitude, and well deserves the most serious consideration. Before resorting, therefore, to such a measure, it behooves us to weigh well the moral effect it would produce upon the country, and, in order to arrive at a correct estimate of public sentiment in this particular, I think we should have a free expression of opinion; for, upon this hinges the expediency of the whole policy.

If the employment of negroes as soldiers would produce a demoralizing effect upon the white troops so as to counterbalance the additional strength thus acquired, it follows, as a matter of course, that such a measure would weaken, instead of strengthening our cause, and consequently, be inadmissible. But, if on the other hand, we find by a discussion of the question that the army is willing to have its shattered strength recuperated by this means, then I think we ought at once to put this policy into operation.

I am well aware that we may expect strong, even violent opposition for a time, from some quarters, yet I believe and trust, that if it is deemed necessary by our government and great military leaders, the army and people will cheerfully acquiesce in their decision.—General Lee, the great and good, is reported to have given it the sanction of his name; and the weight of his opinion should go very far towards silencing objection; familiar as he must be with the sentiment of the army, and the fighting capacity of the negro as displayed by these in the Yankee army. For myself, I doubt not but they would fight as well, or even better, on our side; for they would be under the most rigid discipline, besides, being accustomed from infancy to obey implicitly.

During the progress of the war, from its beginning to the present time, the slaves have proven themselves more quiet, orderly, and devoted to their masters, than might have been reasonably expected; and I think there would be little cause for apprehension, that if arms were put in their hands, they would be used against us. I know this would be one of the chief objections urged by many who have ever been afraid of the bugaboo of insurrection; but, why should not they be as faithful to our cause as to that of the enemy? The incentives would be equally great; for, of course, we would reward the faithful discharge of their duties with liberty.

But, some may object here, that we have maintained all along that bondage is the normal condition of the African race, and that freedom would be no boon to them. Grant that it may be true, and yet, we know that human nature is such that we are ready to purchase with a great price the right of being our own masters, although we may not use the right for our own best interests. Of course it will not be contended that it is our *duty* to keep them in a state of slavery. So much on this head.

And now, we come to the *necessity* of the case: It is evident, I suppose, to every one, that if the war continues another year—which none can doubt, judging from present appearances—we *must* reinforce our armies. The question is, *where* are reinforcements to come from? Can they be obtained from the white population? I think not, to the extent required, without detriment to the most important interests of the country. Then what are we to do? Is the cause to be imminently imperilled rather than resort to this means of strengthening our armies? I trust no true patriot would hesitate for a moment, with the alternatives presented before him. If we fail in the establishment of our independence, slavery is lost beyond the possibility of a doubt. Then, if there is a *resonable* probability of this most deplorable of all results, would we not better use this great resource while it is in our power to do so? *Anything* is preferable to subjugation by the hated foe. We had better sacrifice, not only slavery, but everything else in addition, than to be reduced to this lamentable condition. We have already sacrificed thousands of precious lives, poured out the richest blood of the South like water, for the achievement of our independence, and shall we hesitate to give up slavery *altogether*, if necessary for the attainment of the great end? I trow not. We have hazarded our all upon the issue; the die is cast beyond recall; let our motto be, "*Nulla vestigia retrorsum*," and, as the Lord omnipotent reigneth, I very believe we will emerge from this bloody baptism with banners floating proudly and as freely as the liberty-loving zephyrs which fan its glorious folds. TANK.

Kittrell's Springs.

HISTORY REPEATING ITSELF.—The following incident of the Revolution is not without its parallels in the present war:

During the severity of the winter campaign in North Carolina, General Greene, passing a sentinel who was barefooted, said, "I fear my good fellow, you must suffer from cold." "Pretty much so," was the reply; "but I do not complain, because I know I should fare better had our General power to procure supplies. They say, however, that we shall have a fight in a few days, and then, by the blessing of God, I shall take care to secure a pair of shoes."

A very talkative little girl used often to annoy her mother by making remarks about the visitors that came to the house. On one occasion a gentleman was expected, whose nose had been accidently flattened to his face. The mother cautioned her child particularly to say nothing about this feature. Imagine her consternation when the little one exclaimed "Ma, you told me not to say anything about Mr. Smith's nose; why, he has'nt got any!"

THE ALABAMA TORNADO.—In addition to particulars in preceeding page, we learn from the Montgomery *Mail*, that in that city the darkness was so great it could almost be felt; chucks of hail the size of pigeons' eggs fell thick and fast. A bridge on the railroad was "lifted" from its foundations and carried away. At Opelika, a child was wrested from the arms of a man, and carried a hundred yards, and when found was jammed against the trunk of a fallen tree, dead; and a bedstead was lifted into the top of a tree where it lodged.

SAVANNAH.—The telegrams this morning furnish a foretaste of the tender mercies of the Yankees to a conquered city. "Churches and places of amusement"—[Sherman does not quite say *other* places of amusement]—are graciously "allowed." A grand fireman's parade forms a Sunday amusement. Two newspapers allowed, but they are *not* allowed to comment on the doings of the authorities—"the play of Hamlet with the part of Hamlet omitted." And such of the people as will not forswear and disgrace themselves by taking a horrible oath, are to be driven from their homes and robbed of their property. Such are the orders of a government to which a free people are invited, or rather commanded, to return. May God forbid!—*Pay. Observer.*

"Never judge from manners," says Lord Byron, "for I have had my pocket picked by the courtliest gentleman I ever met with.

From the Wilmington Carolinian.

Conscription of Negroes.

The question of putting negroes in the field is one which has lately assumed an importance which few expected. There is but little doubt that Gen. Lee favors the measure, and indeed has recommended it. One thing is evident, that more men must be had or the cause will suffer. The army of Tennessee has suffered a defeat that has, to a greater or less extent, depleted its ranks. To meet Sherman's advancing legions there must be men. And although we find so many bomb-proofed individuals crying lustily for wholesale conscription, there is a remarkable dearth in volunteering found in this favored class. The reason is obvious, their services are of far greater importance at home—in fact without their exemption the bottom would unquestionable fall out of the Confederacy—if indeed it has any bottom.

Well, as the blood and thunder war men will not themselves go meet the foe, there must be a substitute, just as many of our country people do now, when coffee can't be bought they take rye; so, if the *fighting* men will not go, we must make something else go to *fight*; it matters not what that something else is, be it black, white or gray. We have already placed in the field all the white, and lately the *gray* have gone. More *fire* wanted, and what must we take but the black. We have a plenty of black and yellow left, but the entire white and gray departments have been swallowed up, some in victory many in death.

Something must be done, and we propose to consider what is best to do. This incessant drain upon our white population since 1861, has reduced that class to a mere moity, while the black have increased in a ratio commensurate to the decrease of the former. The white race in the Confederacy, is day by day, becoming numerically weaker. And if the policy which has been adopted since 1861, be continued the relative preponderance of the two classes will become alarming. To avoid this alone, something is necessary. If we expect to have a country when the war ends, let us have a few white men saved, who can call it "our country."

It is objected that negroes will become an element of weakness, rather than strength to the army; so we all predicted when the cunning Yankee took it into his head to make soldiers of them. They have proven the reverse. It is also said that it would give more men to the enemy than to the Confederacy. If that be so it will be by desertion; they now recruit from our very doors this class of soldiers, and when we capture them we are compelled to avoid retaliation and to treat them as prisoners of war. When they desert their colors and go to the enemy, they will be deserters, and the penalty of desertion is death. In this respect, therefore, it is better that they be in the field. The objection is also raised that it will be still further depleting the country of its labor, and we will then become less able to feed our armies. This objection is easily met by a provision that when the new levies are placed in the field and sufficiently drilled and disciplined, let our *citizen* soldiery—persons who can do infinitely more good at home than in the army, be discharged, and they, with the labor exempt from military service, can produce much more than all the unsystematized labor now at home can possibly do. One strong recommendation is this: It will make some of these strong war men who own millions of property and who are loud-mouthed for war, bloody, relentless and unsparing war, and who have secured soft places for their precious heirs, give a little substantial assistance in this struggle.

Another strong recommendation for the measure is, that the soldiers are nearly all in favor of it, and when this is so we, of course, have no right to demur.

It may be argued that the negro will not fight. Upon this point, though not having any very great amount of experience, the little we have had, has convinced us that *discipline* will teach any man to fight, we care not who or what he is. All that is needed is brave officers who have had experience.

But the quesion will be asked, what will you do with the negro after he becomes unsuited, by reason of his military training, for servitude? Upon this point we would not say what would be *best* to do with, but we will give our views upon what might be *well* to do with them. We admit that after his training and discipline as a soldier, he would become unsuited for his former condition. Would we give him freedom as a *reward*? As soon would we give a child poison. One could use the gift with about as much intelligence and benefit to itself as the other. We would not give him freedom "*as a reward for meritorious* service," but we would give him something more substantial. We would have each State provide a homestead for the black soldier on his return home—*this as a reward*. And then we would give him freedom as a means of enjoying the property given him.—We would give him the *right to hold any species of property* which a white man could hold. It is all nonsense to talk of the sacredness of the rights of property. Bone, sinew and blood are required in this contest. We have material for hundreds of thousands of able-bodied soldiers in her midst, and it is high time it should be used, before our armies are depleted. Let Congress act and that quickly. We have a work to do. Let us be up and doing. Place these men in the field and you will see gold in New York go up to three or four hundred immediately, while the Northern people will heap their invectives upon Lincoln for inaugurating a movement that will prove more disastrous to them than to the rebels. We can place ten soldiers of this class in the field for one of theirs. We trust the views of General Lee may be early adopted, giving to the country additional evidence that we are in earnest.

THE YANKEE REGIMENT.—As many hard things have been said about O'Neil's galvanized legion, we extract the following creditable record from the Salem *Rebel*, which is speaking of the raiders on the Mobile and Ohio Railroad:

They arrived at Egypt, Tuesday evening, where they encountered Colonel O'Neil's regiment of galvanized Yankees, who fought like heroes and repulsed the raiders. This is the first engagement in which these men have been engaged since they enlisted in our service, and it is gratifying to know that the large majority of them have proved true to their pledge. Only a very small number of them—some fifteen or twenty, it is said deserted to the enemy.

During the week immediately after Christmas, there were more false reports in circulation than we ever heard of before. This was because, it is fair to presume, the newspapers generally had suspended for a few days.

Those persons who are always crying out that the Confederacy is whipped, are only disgracing themselves and frightening the timid and uninformed. In most cases their hearts were never in the cause of the South.—*Uhar. Democrat.*

TELEGRAPHIC

REPORTS OF THE PRESS ASSOCIATION

From the South.

RICHMOND, Jan. 10.—The following was received last night:

MACON, Jan. 9.—*To General S. Cooper:* General Hood reports from Tupelo, the 6th, that Thomas appeared to be moving up the Tennessee river, up to nine o'clock, a. m., on the 5th.

Scouts report nine gunboats and forty transports had passed Savannah going towards Eastport, laden with troops and supplies.

(Signed) G. T. BEAUREGARD.

The following was received to-day:—Charleston Jan. 9th. His Excellency Jefferson Davis:

Wheeler's cavalry have been organized under my supervision, and now consists of three divisions, eight brigades. It is a well organized efficient body. Reports of its disorganization and demonstration are without foundation.

Depreciating stories credited to his command can generally be traced to bands of marauders claiming to belong to it. I know nothing at present to add to its effectiveness, except the promotion of (name blank), for which recommendations have been sent in.

(Signed) W. J. HARDEE.

From Charleston.

CHARLESTON, Jan. 9.—Nothing received from below.

To-day's dispatch from Macon reports the enemy, one or two thousand strong, with wagons and artillery on Ocopee river, moving in the direction of Southwestern Georgia.

GENERAL HOSPITAL No. 8,
Raleigh, Jan. 9, 1864.

Editors Confederate: Four years ago the people of the several States composing the Confederacy, assembled in Convention and asserted their sovereignty by severing their connection with the accursed Federal Union. Then for the first time in a long series of years the bugle blast of war was heard in the land, summoning the brave and chivalrous sons of the South to arms. With an enthusiasm unparalleled in the history of the world, they rallied beneath the ample folds of their new-born country's flag, and solemnly pledged themselves never to stay their hands until victory perched upon their country's standard, and her independence was acknowledged by all the civilized nations of the earth.

Firmly fixed and determined to redeem this solemn pledge, thousands upon thousands of them bid an affectionate adieu to the loved ones at home, and went forth to meet a cruel and relentless foe, who sought the annihilation of a people who never injured them, nor asked for anything but their rights under the Constitution their fathers gave them. The many hardships and privations they have undergone—the sufferings they have patiently endured without a murmur, on the lonely midnight watch, and the long and weary march, with no bed upon which to rest themselves but the cold damp earth, and no covering to protect them from the pelting storms of winter but the broad canopy of heaven, attest their devotion to the cause they so nobly espoused in the beginning of the contest, and in defence of which so many thousand of patriot soldiers in the full bloom of youth and vigor of manhood have sacrificed their lives.

And now, while those true and tried veterans who for the past four years have constantly breasted the storm of war, and waded through seas of blood, are willing to endure yet a little longer, and suffer much more to secure the independence of their bleeding country, there are croakers at home, who have never been in service, nor never expect to be, constantly engaged in stirring up strife and contention among the people, and impeding our progress by throwing every obstacle in the way of achieving our national independence.

How long, God of Heaven, O! how long shall these things be permitted to remain?—Let me ask, in the name of the heroes who have fallen in this great struggle for independence and national existence, whose cannonized bones now lie bleaching on Virginia's classic hills, and in the name of the brave boys who are now standing like a wall of fire between us and the enemy, how long disloyal editors shall be permitted to sow the seeds of discord broadcast through the land, and incompetent legislators to pour out the vials of their wrath upon their own country, without even uttering a single syllable against the despotic acts of the Lincoln dynasty. How long shall treason be thus permitted to stalk abroad in high places unmolested? Is there no power to prevent it? I unhesitatingly assert, that the government has the power to suppress it, and ought to exercise it.

Our property, our lives, our all is involved in the contest, and the effort on the part of the proper authorities to prosecute the war to a successful termination, cost what it may, should be neglected. If the the star of our young Republic, to which the eyes of all lovers of free government is turned and are gazing with the most intense anxiety, should ever go down in disaster, the fault will be our own. It must not be permitted. General Robert E. Lee and his sixty thousand veterans who have time and again marched triumphantly over many a blood-stained field of battle, and wrenched from the very jaws of death full many a glorious victory, are subject to the orders of the Government, and will see to it that all laws, and classes of laws emanating from the Confederate authorities are strictly enforced and obeyed.

This is plain talk, but is what I know to be true, and what ought to be done in case necessity should require it. Let traitors in our midst, who live by slandering and abusing their own country, beware! lest they be visited with swift destruction. Let them be warned in time by a PRIVATE SOLDIER.

Gen Hospital, No. 8, Raleigh N. C.

"Life is a strange problem. One moment in the midst of prosperity we stand with the world in homage at our feet, the applause of the multitude ringing in our ears, and the sunshine of happiness streaming along our paths. A moment more, an evolution in the wheel of fate, and the hand of an invisible destiny that had pursued our track unseen, pours its wrath upon our heads, adversity sets in, the world puts on a look of scorn, the voice of praise is hushed, the light grows dim and our career on earth closes in darkness, to open again in the light beyond the sky."

THE HOME GUARD.—Gov. Vance has published Special Orders discharging the Home Guard troops from further service in the field at present. He thanks them for their promptness, and compliments them for their "valuable services."

GRAND REVIEW.—General Bragg made a grand review yesterday of all the troops in this vicinity. Circumstances rendered is impossible for us to be present, but we learn from those who were, that it was a most imposing display, and that our veteran and other troops showed to the highest advantage, and were in the best spirits.—*Wil. Journal.*